

**MindSpace Privacy Notice
Pupil/Parents/Carers and professionals**

1. Scope

- 1.1. Under data protection law, individuals have a right to be informed about how MindSpace or uses any personal data that we hold about them. We comply with this right by providing privacy notices to individuals where we are processing their personal data. This privacy notice explains how we collect and use personal data about pupils and their families, in line with the requirements of GDPR (General Data Protection Regulation).

2. Responsibilities

- 2.1. The Trust Data Protection Officer is responsible for ensuring that this notice is made available to data subjects prior to MindSpace collecting/processing their personal data.
- 2.2. MindSpace who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject's attention and where necessary their consent to the processing of their data is secured.
- 2.3. The personal data collected is essential, in order for MindSpace to fulfil its official functions and meet legal requirements.

3. Privacy Notice

3.1. Who are we?

MindSpace is an organisation that support young people with mental health difficulties, aiding their recovery through early identification and intervention, and talking therapies. The MindSpace team work across schools in Barnsley. MindSpace operates as part of Wellspring Academy Trust.

3.2. Key Contact?

Data Protection Officer: Jonny Wathen (CIO)
Email: privacy@wellspringacademies.org.uk
Telephone: 01226 720742

3.3. The categories of personal data that we collect, process, hold and share includes:

- Personal identifiers and contacts (such as name, contact details and address)
- Characteristics (such as ethnicity and date of birth)
- Safeguarding information (such as social care, Family Intervention Service involvement, and any other agency safeguarding young people and their family)
- Special educational needs
- Medical and administration (such as doctors information, physical and mental health)

- Attendance
- Behavioural information (such as any relevant alternative provision put in place)
- Photographs and Video (such as photographs for our newsletters and videos about the service)
- We may also hold data about pupils that we have received from other organisations, including other schools and parents)

3.4. The personal data we collect will be used for the following purposes:

- To offer an early intervention and prevention mental health service on a 1:1 and group basis.
- To offer a parent counselling service
- To offer parents the opportunity to work with our Family Liaison Officer
- To contact for evaluation purposes of the MindSpace service
- To carry out research
- To comply with the law regarding data sharing
- To quality assurance services
- To manage compliments and complaints

3.5. Data sharing

We sometimes need to share the personal information we process with the individual themselves, and also with other organisations. Where this is necessary we are required to comply with all aspects of the GDPR. What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons.

Where necessary or required we share information with:

- The home school the young person attends
- Their GP (General Practitioner)
- The young person's family and representatives
- Specialist Children's Adolescent and Mental Health Services [CAMHS] in Barnsley
- Barnsley's Clinical Commissioning Group
- Healthcare, social and welfare organisations
- Universities and organisations for research purposes
- Police forces, prison and probation services, courts and tribunals
- Information System Providers (such as Management Information systems, Office 365 and Google)

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

3.6. The lawful basis for processing personal data we rely on are:

MindSpace only collect and use pupils and parents' personal data when the law allows. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils and parents' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individuals vital interests (or someone else's interests)

Where we have obtained consent to use pupils and parents' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using your personal data overlap, and there may be several grounds which justify MindSpace using your data.

3.7. Storage and Retention of Data

MindSpace will keep personal information about pupils and parents while they are accessing interventions from the MindSpace team. It will also be kept beyond the end date of their intervention. The retention period for different classifications of personal data has been established in line with NHS Barnsley Clinical Commissioning Group. MindSpace will keep a young person's data up to the date of their 25th birthday and data for a parent 8 years.

<https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/records-management-code-of-practice-for-health-and-social-care-2016>

3.8. Parents/Carers and Pupils' rights as a data subject

Individuals have a right to make a subject access request to gain access to personal information that MindSpace holds about them.

Parents/Carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data, or where the child has provided consent.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long it will be kept for
- Explain where we got it from, if not you or your child
- Tell you who it has been, or will be, shared with

- Give you a copy of the information in an intelligible form

- Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

3.9. Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights please contact our Data Protection Officer.

3.10. Complaints

In the event that you wish to make a complaint about how your personal data is being processed by MindSpace or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority and MindSpace data protection representatives Data Protection Officer.

The details for each of these contacts are:

	Supervisory authority contact details	DPO contact details
Contact Name:	https://ico.org.uk/concerns	Jonny Wathen
Address line 1:		Wellspring Academy Trust
Address line 2:		Digital Media Centre
Address line 3:		County Way
Address line 4:		Barnsley
Address line 5:		S70 2JW
Email:		privacy@wellspringacademies.org.uk
Telephone:	0303 123 1113	01226 720742