MacIntyre
Providing support...your way

Privacy Notice for No Limits Learners

You have a legal right to be informed about how MacIntyre uses any personal information (or 'data') that we hold about you. To comply with this, we provide a 'privacy notice' to you to explain how we collect, store and use personal data about you. This is also referred to as processing your personal data. This privacy notice also explains why we use your personal information, who we share it with, how long we keep it, and your rights under data protection law.

Looking after your personal information and keeping it private is called 'data protection'. MacIntyre is responsible for deciding how your personal data is used, this is call 'Data Controller'. Claire Toombs is MacIntyre's responsible person for data protection, she is known as MacIntyre's Senior Information Risk Owner. You can contact her at Central Admin (MacIntyre, Seebeck House, 1 Seebeck Place, Knowlhill, Milton Keynes, MK5 8FR) or by emailing her at data.protection@macintyrecharity.org.

The personal data we hold
We hold some personal information about you to make sure we can help you learn and look after you at No Limits. Some of this information is sensitive (called special category data), for example information about your health, behaviour or support needs.

For the same reasons, we get information about you from some other places too – like other Schools, the Local Council or Authority, other Colleges and the government (Department for Education). We may also receive information from safeguarding teams, social care services, or health professionals involved in your support.

This information includes:

- Your contact details
- Your school test results (qualifications)
- Your attendance records
- Your characteristics, like your ethnic background or any special educational needs
- Any medical conditions you have
- Details of any behaviour issues or exclusions
- Photographs, images or video recordings (where appropriate)

Why we use this data
We use your personal data for the following reasons and rely on different legal bases under data protection law to do this:

- Get in touch with you and where appropriate your parents, carers or representatives when we need to
- Check how you're doing in your studies and learning programs, and work out whether you or your teachers need any extra help
- Track how well No Limits, as a whole, is performing
- Look after your wellbeing

We share this information with your No Limits education team so that they can best support you. If you don't want some information about you to be shared with everyone in your team, please talk to us about it. We will take your views into account, but there may be situations where we still need to share information to keep you or others safe, or to meet legal requirements. We also share it with:

- The people in No Limits who manage your team
- The people in No Limits who check that you are getting the right educational support that meets your needs and the government's standards.

We are also required by the Local Authority or partner School/College that pays for your additional education support (sub-contract) to keep all this information and to make it available to them. This is because No Limits is delivering, what under data protection law is called, a 'public task' on behalf of the authority or service (other lawful bases may also apply depending on the situation as explained below). They may in turn share your information with other public bodies where there is a lawful and legitimate reason to do so; to find out more, ask to see a copy of their own 'privacy notices'.

Our lawful basis for using this data
We will only collect and use your information when the law allows us to. Most often, we will use your information where:

- We need to comply with the law (for example safeguarding or education requirements)
- We need to use it to carry out a task in the public interest (in order to provide you with an education and support)
- It is necessary to protect your vital interests or those of others (for example in an emergency)
- It is necessary for legitimate interests, such as improving our services, where this does not override your rights.
- In some cases, where you have given consent (for example where we take your photo)

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

Some information we use is more sensitive, such as information about your health, support needs, or back ground. We process this information under the following legal conditions:

- Providing health or social care (UK GDPR Article 9(2)(h))
- Safeguarding and public interest (UK GDPR Article 9(2)(g))
- Education and legal obligations (Article 9(2)(b))

Collecting this information
In many cases, we do not rely on consent as the law allows us to use your information for education, social care and safeguarding purposes. There are some occasions when you can choose whether or not to provide the data. Where you can choose whether or not to provide the data (called 'consent'), you or your parents/ carers may withdraw consent at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent.
We will always tell you if it's optional. If you must provide the data, we will explain what might happen if you don't.

How we store this data
We will keep personal information about you while you are a learner in No Limits. We may also keep it after you have left the provision, where we are required to by law or for other good reasons. We store information securely using appropriate technical and organisational measures, such as encryption and access controls.

DP3.8 Record Retention Schedule – ASC and No Limits sets out how long we must keep information about learners. Education records are typically kept in line with the Department for Education guidance, which is often up to 6 years or the age of 25, which ever is longer. You can request a copy from the MacIntyre central office or ask your staff to get you a copy off the intranet.

Data Sharing
We do not share personal information about you with anyone outside MacIntyre without unless we have a lawful reason to do so under data protection law, or where appropriate, with permission from you or your parents/carers.
Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

- *Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions*
- *Educators and examining bodies*
- *Partner Schools and Colleges and Ofsted – each of who are our regulator*
- *Police forces, courts, tribunals*

Some organisations we share data with act as an independent controller (such as the ones listed above), while others process data on our behalf such as:

- Evidence for Learning (to monitor your education progress)
- Microsoft 365 (to manage and store your records)

We may also share information with your family/carers and representatives where it is appropriate and lawful to do so.

Some IT systems we use may store or process information outside the UK. Where this happens, we ensure appropriate safeguards are in place to protect your information, such as only allowing it to be processed with the EU/EEA.

Use of Artificial Intelligence (AI)
We may use artificial intelligence (AI) and automated tools to support our services, improve decision-making, enhance efficiency, and help us deliver safe, high-quality care and education. These tools may assist with tasks such as analysing information, identifying patterns, supporting care or learning plans, or improving administrative processes.
Where we use AI, we ensure that it is used responsibly and in line with data protection law. This means we use appropriate safeguards, including human oversight, to ensure decisions are fair, transparent and accurate. We do not make decisions about individuals based solely on automated processing where those decisions would have a significant impact, without meaningful human involvement.
In education settings, AI may be used to support learning, monitor progress, or personalise educational support.

Some AI tools are provided by trusted third-party suppliers who process data on our behalf. We ensure appropriate contractual and security safeguards are in place. We only process personal data through AI systems where there is a lawful basis to do so, and we take steps to ensure that your information remains secure and is only used for appropriate purposes.

How to access personal information we hold about you

You can find out if we hold any personal information about you, and how we use it, by making a 'subject access request' (see 'Contact us' below). If we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you or your parents
- Tell you who it has been, or will be, shared with
- Let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person)
- Give you a copy of the information

You may also ask us to send your personal information to another organisation electronically in certain circumstances.
If you want to make a request please contact data.protection@macintyrecharity.org.
We will usually respond within one month, however if we think it will take longer, we will let you know with an explanation why.

Your other rights over your data

You have other rights over how your personal data is used and kept safe, including the right to:

- Object to how we use your data in certain situations
- Ask us to restrict how we use your data
- Say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person) – currently MacIntyre does not make decisions about you based solely on automated processing
- Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it
- Ask for your data to be transferred to another organisation (where applicable)
- Claim compensation if the data protection rules are broken and this harms you in some way

Complaints

If you want to know more about data protection or if you are unhappy with what we are doing with your information, please contact our Data Protection Team. We take complaints about our collection and use of personal information very seriously

- Email us on data.protection@macintyrecharity.org
- Leave us a message on 01905 230100
- Send us a letter at
    - FAO Data Protection Team
      MacIntyre
      Seebeck House
      1 Seebeck Place

Knowlhill
Milton Keynes
MK5 8FR

Your staff can help you do this if needed. If you are not happy with what we have told you about your information, you can complain to the government organisation that looks after data protection – the Information Commissioner's Office (ICO):

- Online at Make a complaint | ICO:
- Telephone 0303 123 1113