

**DATA PRIVACY, FAIR PROCESSING & COOKIES POLICY (Version 4 – 9/4/19)**

Edsential is a Community Interest Company owned by Cheshire West and Chester Council and Wirral Council to provide services to the Education sector.

We have been created with a private sector head and public-sector heart – allowing us the freedom to compete, whilst using any surplus as a direct reinvestment in our services or to support projects in our schools.

Looking after personal data you share with us is a hugely important part of this. We want you to be confident that your data is safe and secure with us and understand how we use it to offer you a better and more personalised experience.

At Edsential we believe in being transparent about what data we are collecting and how it will be handled. The information contained within this document sets out our privacy policy in summary and detail

WhitbyHall Lodge | Stanney Lane | Ellesmere Port | CH65 6QY

For further information about any of our services:

Visit: www.edsential.com

Email: hello@edsential.co.uk

Call: 0151 5412170

@EdsentialUK



SUMMARY

Our Fair Processing Notice explains your privacy rights and how we gather, use and share information about you.

You can get in touch with our Data Protection Officer at

BY POST	THE DATA PROTECTION OFFICER BRIGHTON STREET WALLASEY CH44 8ED
TELEPHONE	0151 666 4446
EMAIL	schoolsdpo@wirral.gov.uk

YOUR RIGHTS

- Your personal data is protected by legal rights, which include your rights to object to our processing of your personal data; request that your personal data is erased or corrected; request access to your personal data.
- For more information or to exercise your data protection rights, please contact us at hello@edsential.co.uk or 0151 5412170.
- You also have a right to complain to the Information Commissioner's Office which regulates the processing of personal data. (Postal Address; Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK95AF.

HOW WE GATHER PERSONAL INFORMATION

In addition to the information you provide to us directly, we collect personal information in a number of ways for example from third parties and from looking at how you have used other products and services we offer. Sometimes for your safety, training, quality control and for legal reasons we collect personal information by recording and monitoring calls and from CCTV. See section 5 for more details about how we gather personal information.

HOW WE USE YOUR PERSONAL INFORMATION

We use your personal information to provide you with products and services to comply with the law and enforce our legal rights (including debt recovery), and to improve and market our products and services. Sometimes we need to use sensitive personal information such as medical details to ensure that we are catering for your individual needs and to keep you safe during activities. Find out more about how we use your personal information in section 6.

OUR PRODUCTS AND SERVICES

We need some personal information before we can provide our products and services to you, for example to allow us to check your identity. In some cases, we won't be able to provide products and services to you if we don't have all the personal information we need. For example, our curriculum data support facility.

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SHARING AND TRANSFERRING PERSONAL INFORMATION

We share personal information with our suppliers and share and receive personal information from other third parties where needed to provide you with the best service. We also share personal information with regulators, local authorities and law enforcement. Section 8 will give you further details about this.

KEEPING PERSONAL INFORMATION

We keep your personal information securely for as long as we need to for the purposes described in section 9.

YOUR CONSENT

Sometimes we need your consent to use your personal information or imagery (for example for marketing). We won't always need consent to use personal information – for example if we need it to meet regulatory requirements or to perform a contract with you. Where you have given us consent, you have the right to withdraw it at any time. See section 11 for more details.

OUR PARTNERS

We want the best for our customers and sometimes we work with other companies to offer you the best products and services. With your consent, we or our partners will contact you to let you know about products or services from our partners where we think that will save you or your organisation money or make your life easier. See section 6 'How we use your personal information', clause 6.10 for more information about our partners.

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FULL FAIR PROCESSING NOTICE

1. INTRODUCTION

We take data privacy seriously and you can find out more here about your privacy rights and how we gather, use and share your personal information – that includes the personal information we already hold about you now and the further personal information we might collect about you, either from you or from a third party. How we use your personal information will depend on the products and services we provide to you.

Our Data Protection Officer (DPO) provides help and guidance to make sure we apply the best standards to protecting your personal information.

Our DPO can be reached at the details below. In the first instance if you have any questions about how we use your personal information please contact the Edsential customer services team on 0151 541 2170

BY POST	THE DATA PROTECTION OFFICER BRIGHTON STREET WALLASEY CH44 8ED
TELEPHONE	0151 666 4446
EMAIL	schoolsdpo@wirral.gov.uk

See section 3 'Your Privacy Rights' for more information about your rights and how our DPO can help you.

This Privacy Notice provides up to date information about how we use your personal information (also referred to as personal data). We will update this Privacy Notice if we make any significant changes affecting how we use your personal information, and if so we will contact you to let you know about the change.

2. ABOUT US

We are what is known as the 'controller' of personal information we gather and use.

When we say 'we' or 'us' in this Privacy Notice, we mean Edsential.

When we say "you" we mean customer, employee, supplier, organisational representative or in case of persons under the age of consent parent or guardian with legal responsibility.

3. YOUR PRIVACY RIGHTS

3.1 You have the right to object to how we use your personal information. You also have the right to see what personal information we hold about you. In addition, you can ask us to correct inaccuracies, delete or restrict personal information or to ask for some of your personal information to be provided to someone else. You can make a complaint to us via hello@edsential.co.uk

You can also make a complaint to the data protection supervisory authority, the Information

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Commissioner's Office, at <https://ico.org.uk>. To make enquires for further information about exercising any of your rights in this Privacy Notice please contact our DPO as detailed above.

You can [click here](#) to exercise any of the following privacy rights.

3.2 Right to object: You can object to our processing of your personal information. Please contact us as noted above, providing details of your objection.

3.3 Access to your personal information: You can request access to a copy of your personal information that we hold, along with information on what personal information we use, why we use it, who we share it with, how long we keep it for and whether it has been used for any decision making.

You can make a request for access free of charge by contacting Edsential Whitby Hall Lodge, Whitby Park, Stanney Lane, Ellesmere Port CH65 6QY. Please make all requests for access in writing and provide us with evidence of your identity.

3.4 Right to withdraw consent: If you have given us your consent to use personal information, you can withdraw your consent at any time. Withdrawing consent to hold personal information may mean that we can no longer provide activities where there is a health and safety risk.

3.5 Rectification: You can ask us to change or complete any inaccurate or incomplete personal information held about you.

3.6 Erasure: You can ask us to delete your personal information where it is no longer necessary for us to use it, you have withdrawn consent, or where we have no lawful basis for keeping it.

3.7 Portability: You can ask us to provide you or a third party with some of the personal information that we hold about you in a structured, commonly used, electronic form, so it can be easily transferred.

3.8 Restriction: You can ask us to restrict the personal information we use about you where you have asked for it to be erased or where you have objected to our use of it.

3.9 Make a complaint: You can make a complaint about how we have used your personal information to us, via post, telephone or to a supervisory authority – for the UK this is the Information Commissioner's Office at <https://ico.org.uk>

We will not make any charge for responding to any request from you to exercise your privacy rights, and we will respond to your requests in accordance with our obligations under data protection law.

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4. WHAT KINDS OF PERSONAL INFORMATION WE USE

We use a variety of personal information depending on the products and services we deliver to you. For all products and services, we need to use your affiliated organisation name, your name, address and contact details. For some products and services, we might need additional information, for example: date of birth, health details for certain catering or residential services to help support our customers who have a vulnerability; and convictions information to meet legal obligations. Sometimes where we ask for your personal information needed to enter into a contract with you or to meet a legal obligation (such as an enhanced disclosure and barring services check), we will not be able to enter into an agreement without that personal information.

5. HOW WE GATHER YOUR PERSONAL INFORMATION

We obtain personal information:

- Directly from you, for example when you fill out a booking request;
- By observing how you use our products and services for example from accessing our residential/curriculum facilities;
- From other organisations such as Local Education Authority, Diocese, Department for Education or from the organisation you are affiliated for example education provider.

We also may obtain some personal information from monitoring or recording calls and when we use CCTV. We will record or monitor phone calls with you for regulatory purposes, for training and to ensure and improve quality of service delivery, to ensure safety of our staff and customers, and to resolve queries or issues. We also use CCTV on our premises to ensure the safety and security of our staff and customers.

6. HOW WE USE YOUR PERSONAL INFORMATION

To provide you with any products and services we need to know your organisations details, your name, address, contact details and potentially a copy of identification documents (such as a passport or driving licence). We might also need health information to help support our customers who have a vulnerability. We sometimes need to gather, use and share additional personal information for specific purposes, which are set out in more detail below.

6.1 To operate and administer our products and services, including dealing with your complaints and fixing our mistakes, we will use:

- (a) Your contact details;
- (b) Your location data for fraud prevention and, if you have consented to it, mobile location services; and
- (c) Your IP address to identify you for security reasons.

We might share all of the information we use for this purpose with third parties who help us to verify your contact details and deliver our products and services, such as our subcontractors and regulators. We use your information in this way because it is necessary to perform our contract with you and to meet our legal obligations.

6.2 To administer payments to and from you, we will use:

- a) Your contact details and the payment details that you have provided to us; and

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- b) Your location data to enable us to verify locations at which payments are made for fraud prevention purposes. We may give this information to our third-party payment providers to process the payment to you.

6.3 To comply with our legal obligations, to prevent crime we will use:

- a) Any information you have given us, that we have obtained from a third party, or that we have obtained by looking at how you use our services, where it is necessary for us to use that information to comply with a legal obligation; and
- b) This information may include name, address, date of birth, every country of residence/citizenship, personal identification (which may include passport number or driving license number) your IP address, and information about any criminal convictions.

We will give information to and receive information from third parties where that is necessary to meet our legal obligations, including the police, other law enforcement and government agencies and regulators.

6.4 To comply with our legal obligations, to support our vulnerable customers:

- a) Information you give to us which identifies a vulnerability (such as a health condition); and
- b) Information we may receive from another party which identifies vulnerability.

We will give information to and receive information about a vulnerability from third parties where that is necessary to meet our legal obligations, for example from police, social services or someone acting on your behalf.

6.5 For financial management and debt recovery purposes, we will use:

- a) Your contact details;
- b) Information we obtain from looking at how you have used our services, including information about your location that we may find from reviewing your accounts;

We will give information to and receive information from third parties where that is necessary to recover debts due by you to us, for example, debt recovery agents, credit reference agencies and sheriff officer or bailiff services. This might include passing personal information about you to a third party who we have transferred your debt to, and who will then contact you directly to collect that debt. If your debt is transferred to a third party, you will be advised of the identity of that third party. We use your information in this way because it is necessary to perform our contract with you, to exercise our legal rights, and because it is fair and reasonable for us to do so.

6.6 To carry out market research and analysis to develop and improve our products and services we will use:

- a) Information about how you have used our products and services.

6.7 To market products and services to you from us or our partners, we will use:

- a) The contact details you have provided to us; and

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- b) Information we have gathered from your use of our other products and services to form a profile of you/your organisation which we will use to assess what other products and services would be most beneficial for you.

We will pass your personal information to our service providers who help us with these marketing activities.

Sometimes we work with other organisations to offer you the best products and services. We will sometimes share your personal information with our partners, and receive personal information about you from our partners, to make sure that we give you the best, most relevant offers when we market to you (if you have consented).

We might also receive personal information about you from a third party and use it to market our products and services to you, where you have given that third party your consent to share the personal information with us. We may collect your name and address from other service providers for the purpose of providing suitable marketing to you.

7. OUR LEGAL BASIS FOR USING YOUR PERSONAL INFORMATION

7.1 We only use your personal information where that is permitted by the laws that protect your privacy rights. We only use personal information where:

- a) We have your consent (if consent is needed);
- b) We need to use the information to comply with our legal obligations;
- c) We need to use the information to perform a contract with you; and/or
- d) It is fair to use the personal information either in our interests or someone else's interests, where there is no disadvantage to you – this can include where it is in our interests to contact you about products or services, market to you, or collaborate with others to improve our services.

Where we have your consent, you have the right to withdraw it. We will let you know how to do that at the time we gather your consent.

7.2 Special protection is given to certain kinds of personal information that is particularly sensitive.

This is information about your, age, health status, racial or ethnic origin, political views, religious or similar beliefs, sex life or sexual orientation, genetic or biometric identifiers, trade union membership, qualifications/accreditations, criminal convictions or allegations.

We will only use this kind of personal information where:

- a) We have a legal obligation to do so (for example to protect vulnerable people);
- b) It is necessary for us to do so to protect your vital interests (for example if you have a severe and immediate medical need whilst on our premises);
- c) It is in the substantial public interest;
- d) It is necessary for the prevention or detection of crime;

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- e) It is necessary for insurance purposes; or
- f) You have specifically given us explicit consent to use the information.

8. SHARING YOUR PERSONAL INFORMATION OR GETTING YOUR PERSONAL INFORMATION FROM OTHERS.

- 8.1 We will share personal information within our organisation and with others outside providers where we need to do that to make products and services available to you, market products and services to you, meet or enforce a legal obligation or where it is fair and reasonable for us to do so. We will only share your personal information to the extent needed for those purposes.
- 8.2 Who we share your personal information with depends on the products and services we provide to you and the purposes we use your personal information for. For most products and services, we will share your personal information with our own service providers such as our IT Suppliers.
- 8.3 Most of the time the personal information we have about you is information you have given to us or gathered by us in the course of providing products and services to you. We also sometimes gather personal information from and send personal information to third parties for example Local Education Authority, Diocese, Department for Education or the organisation you are affiliated for example education provider.
- 8.4 We do not share or transfer your data outside of the European Economic Area.

9. HOW LONG WE KEEP YOUR PERSONAL INFORMATION FOR.

- 9.1 How long we keep your personal information for depends on the products and services we deliver to you. We will never retain your personal information for any longer than is necessary for the purposes we need to use it for.

We will not use your personal information for marketing purposes once you no longer have any active products or services with us. We keep the other personal information we use for seven years after contract termination or from the date you last used one of our services.

We may hold information relating to pension facilities for up to 15 years from the date of expiry of the account. In some circumstances we will hold personal information for longer where necessary for active or potential legal proceedings, to resolve or defend claims, and for the purpose of making remediation payments.

10. KEEPING UP TO DATE

- 10.1 We will communicate with you about products and services we are delivering using any contact details you have given us – for example by post, email, text message, social media, and notifications on our app or website.

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10.2 Where you have given us consent to receive marketing, you can withdraw consent, and update your marketing preferences by calling us directly on 0151 5412170.

11. COOKIES AND SIMILAR TECHNOLOGIES

We use cookies and similar technologies, such as tags and pixels ("Cookies"), to personalise and improve your customer experience as you use our Websites and Mobile Apps and to provide you with relevant online advertising. This section provides more information about Cookies, including how we use them and how you can exercise your choices about our use of Cookies.

11.1 HOW WE USE COOKIES

Cookies are small data files that allow a website to collect and store a range of data on your desktop computer, laptop or mobile device.

Cookies help us to provide important features and functionality on our Websites and Mobile Apps, and we use them to improve your customer experience. For example, we use Cookies to do the following:

- Improve the way our Websites and Mobile Apps work
- Improve the performance of our Websites and Mobile Apps
- Deliver relevant online advertising
- Measuring the effectiveness of our marketing communications, including online advertising

11.2 YOUR COOKIE CHOICES

You can use your browser settings to accept or reject new Cookies and to delete existing Cookies.

You can also set your browser to notify you each time new Cookies are placed on your computer or other device. You can find more detailed information about how you can manage Cookies at the All About Cookies and YourOnlineChoices websites www.youronlinechoices.com/uk/

If you choose to disable some or all Cookies, you may not be able to make full use of our Website.

For example, you may not be able to add items to your shopping basket, proceed to checkout, or use any of our products and services that require you to sign in.

This document is available in large print, Braille and audio. Please speak to a member of our customer services team for details.

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APPENDICES

CATEGORY OF SUPPLIERS
Complaints Management Services
Account monitoring and operation
Customer Services
Debt Management Services
Educational Facilities
Fraud Monitoring and Services
Insurance Services
Legal Services
Marketing Campaigns and Services
Payment Systems and Services
Professional Services
Regulatory Monitoring and Services
Sales Delivery Services
Travel and Events Services
Regulatory Reporting

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VAT Number: 224 8012 38

CompanyNumber: 09550258

Suppliers	Link to Privacy
Microsoft Tools	https://www.microsoft.com/en-us/trustcenter/Privacy/GDPR
Cypad	http://cypad.com/privacy.html
Parent Pay	https://www.parentpay.com/privacy-policy/ https://www.parentpay.com/terms-and-conditions/
Saffron	https://fdhospitality.com/legal/
BSafe	
EDofE	https://www.dofe.org/privacy-statement/
Pupil Voice & Tuscany (OVH)	https://ovhcloud.com/legal/privacy-policy
Sage	http://www.sage.com/company/gdpr
Spindle – Draycir	https://www.draycir.com/privacypolicy/
Sagepay	https://www.sagepay.co.uk/policies https://www.sagepay.co.uk/policies/terms-of-use
Paypal	https://www.paypal.com/uk/webapps/mpp/ua/privacy-prev
Paritor & Quorum	http://edsential.com/wp-content/uploads/2020/11/GDPRPrivacyPolicy.pdf http://edsential.com/wp-content/uploads/2020/11/DataHostingAgreement.pdf http://edsential.com/wp-content/uploads/2020/11/GDPRComplianceStatement.pdf
Prime	
Selima	http://www.selima.co.uk/privacy-policy/
DBS	https://www.gov.uk/help/privacy-policy
OHIO	
Helpdesk (Freshdesk)	https://www.freshworks.com/privacy/
Evolve	www.edufocus.co.uk/GDPR https://evolve.edufocus.co.uk/myevolve/privacy.asp
Website (Senses)	
NCTL Website	https://www.gov.uk/help/terms-conditions
Reed	https://www.reed.co.uk/policies#privacyPolicy
Hays Recruitment	https://www.hays.co.uk/general-content/terms-and-conditions-2989
Telaio	https://www.cheshirewestandchester.gov.uk/system-pages/privacy-policy.aspx
Apogee	https://www.apogeeecorp.com/privacy-cookie-policy/
Lloyds	https://www.lloydsbank.com/privacy.asp?WT.ac=Footer/Navigation/Privacy
Egress	https://www.ipswitch.com/privacy-policy
Sophos	https://www.sophos.com/en-us/legal/sophos-group-privacy-policy.aspx
Survey Monkey	https://www.surveymonkey.com/mp/gdpr/?ut_source=footer

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Elygra	http://www.elygra.co.uk/privacy-policy
Cisco Meraki	https://meraki.cisco.com/support/#policies:privacy
Teamviewer	https://www.teamviewer.com/en/privacy-policy/
E Jass	http://www.jassschools.org.uk/legal-notice
Ezitracker	http://www.ezitracker.com/Privacy-Policy
Wirral Pensions	 Wirral Pension Data Sharing Agreement.
Cheshire Pensions	
Swimphony	Ceasing use 25/07/2018 – Requested to delete all data
Music Mark	https://www.musicmark.org.uk/privacy-cookies/
ITS Technology group	Privacy Notice
Smartdebit	https://www.smartdebit.co.uk/privacy/
PE Passport	http://www.primarypepassport.co.uk/privacy.html

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