



Evergreen Education and Therapy - GDPR Policy 2026-7

This policy aims to provide clear guidance on the GDPR processes upheld by Evergreen Education and Therapy (EEaT)

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Everyone has rights with regard to the way in which their personal data is handled. During the course of our activities, as an alternative and therapeutic provider, we will collect, store and process personal data about our students, workforce, parents and others. This makes Evergreen Education and Therapy a data controller in relation to that personal data.

EEaT is committed to the protection of all personal data and special category personal data for which EEaT is the data controller.

The law imposes significant fines and reputational penalties for failing to lawfully process and safeguard personal data and failure to comply with this policy may result in penalties being applied. All staff members must comply with this policy when processing personal data on behalf of EET.

Any breach of this policy may result in disciplinary or other action. Everyone at EET community has a right to learn and grow, be treated with respect and feel safe, this includes feeling safe about the data we hold. Each has a responsibility too to conduct themselves in a way that helps promote these rights helping us to ensure that we continue to develop a culture and ethos in which everyone feels valued.

About this policy

The types of personal data that we may be required to handle include information about students, parents, our workforce (including contracted and freelance staff, and volunteers or trainees) and others that we deal with. The personal data which we hold is subject to certain legal safeguards specified in the UK General Data Protection Regulation ('UK GDPR'), the Data Protection Act 2018, and other regulations (together 'Data Protection legislation').

This policy and any other documents referred to in it set out the basis on which we will process any personal data we collect from data subjects, or that is provided to us by data subjects or other sources. This policy does not form part of any employee's contract of employment and may be amended at any time. This policy sets out rules on data protection and the legal conditions that must be satisfied when we process personal data.

We are required to appoint a Data Protection Officer (DPO). Our DPO is Mrs Rebecca Peacock and can be contacted at info@evergreeneducationandtherapy.com. The DPO is responsible for ensuring compliance with the Data Protection legislation and with this policy.



Responsibilities of EET - The provision is committed to protecting and respecting the confidentiality of sensitive information relating to staff, students, parents.

EEaT will:

- a) Follow the key principles of Data Protection legislation including the 6+1 principles of UK GDPR (see Appendix 1);
- b) register with the Information Commissioners Office (ICO);
- c) keep an up-to-date Data Asset Audit which lists all known uses of personal data in the Company including the lawful basis for processing under Data Protection legislation, who it is shared with, where it is stored (including transfer out of the UK) and how long it is retained for.
- d) verify that all systems that involve personal data or confidential information will be examined to see that they meet Data Protection regulations (see paragraph 10 Data security)
- e) inform all users about their rights regarding data protection;
- f) provide training to ensure that staff know their responsibilities;
- g) monitor its data protection and information security processes on a regular basis, changing practices if necessary.

Responsibilities of Staff, -

All staff are responsible for checking that any information that they provide to EET is accurate and up to date.

All staff are responsible for ensuring that any personal data they use in the process of completing their role:

- a) is not in the view of others who do not have the authority to view the data;
- b) is kept securely in a locked cabinet when not being used;
- c) Evergreen emails are provided and must be used for company business. Learn Trek platform and SharePoint should be used for all data storage about clients and their families.
- d) if on a PC or laptop, that the device is locked when the staff member is out of the room;
- e) that passwords for company systems are not shared with other staff members or students;
- f) if kept on removable storage (laptop, tablet, USB memory stick) approved by the company, that this is password protected and encrypted. The data held on these devices must be backed up regularly and this is the responsibility of the individual.



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Staff using their own devices – laptops and smart phones must be updated regularly and be in full working order to prevent data breaches or virus attacks. **Staff** will report any loss, theft or mishandling of personal data promptly to the data protection and safeguarding lead. This includes the loss of badges which should be reported to the police. Lost ID cards will be replaced at the cost of the staff member.

Staff should note that unauthorised disclosure or transgression of the above statements or security measures, may result in disciplinary or other action. Staff should ensure that they use the email address provided by EEaT for only related business and communication. All communication remains the property of EEaT and may be disclosed as part of a Subject Access Request. If using a personal device to access company emails, the staff member will take care not to download any personal information about students or other staff to their personal device, and respond to emails within the email app.

EET will inform the Parents/Guardians of the importance of the personal data that is used and the importance of keeping this up to date. This process will include at least an annual data collection sheet (with the return of this document being recorded) and reminders to update personal information (e.g. contact numbers) in review meetings or communications with the tutor. Consent will be sought regarding matters of non-statutory use of personal data such as the use of images and names in publicity materials on induction or when required. The returns to these permissions will be recorded and exemptions communicated to staff.

In relation to all students under the age of 14 years old we will seek consent from an individual with parental responsibility for that student. We will generally seek consent directly from a student who has reached the age of 14, however we recognise that this may not be appropriate in certain circumstances and therefore may be required to seek consent from an individual with parental responsibility. If consent is required for any other processing of personal data of any data subject, then the form of this consent must: a. inform the data subject of exactly what we intend to do with their personal data b. require them to positively confirm that they consent – we cannot ask them to opt-out rather than opt-in c. inform the data subject of how they can withdraw their consent. d. Any consent must be freely given, which means that we cannot make the provision of any goods or services or other matter conditional on a data subject giving their consent. The DPO must always be consulted in relation to any consent form before consent is obtained. A record must always be kept of any consent, including how it was obtained and when.

Rights of the data subject - All people having personal data stored by EET have the right to:

- a) obtain from EET confirmation if personal data concerning him or her (or their child) is being processed;
- b) Where this is the case, have a copy of the personal data and the following information: (i) the purposes of the processing; (ii) the third parties that the data will be shared with; (iii) the period for which the personal data will be stored; (iv) the existence



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of the right to request from the Company to correct, erase or restrict processing of personal data if the data can be proved to be incorrectly held; (v) the right to lodge a complaint with a supervisory authority; (vi) where the personal data is not collected from the data subject, any available information as to its source.

c) if exemptions are placed on any of the data above, because of safeguarding or other issues, the existence of this data will be declared.

Access to the data stored by EET is called a Subject Access Request. Any person who wishes to exercise this right (or their parental right) should make a request (which does not need to be in writing) and submit it to the Directors. The process for dealing with a Subject Access Request is outlined in Appendix 5. The Company aims to comply with requests for access to personal information as quickly as possible and in accordance with advice from the ICO and other professional agencies.

WhatsApp messages should not contain any details about children/clients.

A parent or carer can request to see their child's educational record, or request it on behalf of their child, in writing. The information will be presented within 15 company days of the request. If there is a cost of retrieving the information, for example if a copy must be made, there may be charge for the parent of the amount that it will cost but no more (dependent on the number of pages of information to be supplied). Other than this, there will be no charge for the information requested.

EET is committed to openness and transparency and this policy sets out the procedures and obligations on the company when a Freedom of Information request is received. The Freedom of Information Act allows anyone to request information without giving a reason. The request must state the name and address of the person as well as what information they are seeking. When a request is received this will be considered and the information, if held, will be provided unless one of the exemptions in the Act applies.

Exemptions: Whenever a request for information is received it will be reviewed with consideration given to whether one of the exemptions set out in the Act applies. Common exemptions include the data protection of others, confidentiality, the request going beyond the costs limit and prejudice being caused to the effective conduct of public affairs. There are other exemptions that may also be relevant.

Data security EET will take appropriate security measures against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data. EET will put in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. Paper documents will be shredded. Digital storage devices will be physically destroyed when they are no longer required. IT assets are disposed of in accordance with the ICO's guidance on the disposal of IT assets. To minimise the risk of data being lost or mishandled, we will not retain data including emails any longer than is required by law or where there is a business need.

EET has Cyber Insurance.



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Data breaches If there is a data breach EET will inform the DPO who will then advise on any actions. Any data breaches will be recorded, comprising the facts relating to the personal data breach, its effects and the remedial action taken. If there is judged to be a significant risk to the rights and freedoms of the affected data subject, EEaT will communicate the breach to the data subjects with the support of the DPO. In the case of a personal data breach where there is a significant risk of harm to the rights and freedoms of data subjects, the ICO should be informed as soon as possible and within 72 hours of notification.

This policy will be monitored and reviewed annually. EEaT will monitor the implementation of the policy through regular data protection audits. These will be conducted by the DPO and Head of education.

Retention of Data:

Re Therapeutic Education: Evergreen Education and Therapy Ltd will destroy all data held on a child after the relevant documents have been passed to the next education placement.

Re Therapy: All notes – session notes and therapist's process notes on a child in therapy will be retained deleted 1 year after therapy is concluded. Reports which are produced as a professional document relating to the process of therapy, will be retained for 5 years. Notes and reports held may be subject to peer scrutiny.