

EDUCATION PRIVACY NOTICE

1. INTRODUCTION

- 1.1. Cygnet complies with Data Protection Law - the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018, including amendments to both by the Data (Use and Access) Act 2025. We must tell you why we collect your personal information, how we use it and if we will share it. This privacy notice applies to all current, former and prospective pupils.
- 1.2. We keep this privacy notice under review and may update it at any time. The latest version is on our website.
- 1.3. It is important you tell us about changes to information we hold about you.

2. WHO WE ARE AND WHAT WE DO

- 2.1. Cygnet is a group of companies providing a wide range of health and social care services for young people and adults within the UK. The only company in the group that runs schools is Cygnet NW Limited. We use your information to provide the education that you need.
- 2.2. All Cygnet companies are registered at the address below.
 - 18 Kings Hill Avenue, Kings Hill, West Malling, Kent, ME19 4AE.
- 2.3. Cygnet is a data controller registered with the Information Commissioner's Office (ICO). The ICO registration reference for Cygnet NW Limited is ZA462350.

3. DATA PROTECTION OFFICER (DPO)

- 3.1. We have a Data Protection Officer (DPO) to oversee our compliance with Data Protection Law.
- 3.2. If you have any concerns or questions about our use of your personal information, you can contact our DPO by emailing dataprotection@cygnethealth.co.uk or posting a letter addressed to Data Protection Officer, Cygnet Health Care, Southside Building, 31 Hurst St, Birmingham, B5 4BD. If you are a pupil at one of our schools and need help to do this, please ask your teachers, parents or carer for support.

4. INFORMATION ABOUT YOU THAT WE COLLECT AND USE

- 4.1. Cygnet collects information about you that is necessary to provide you with an education whilst you are an inpatient at a Tier 4 CAMHS unit. Cygnet may collect this information from you and various other sources.
 - Contact details, contact preferences, date of birth, identification documents;
 - Characteristics, such as ethnic background, eligibility for pupil premium funding or special educational needs;
 - Details of any medical conditions including physical and mental health;
 - Information to keep children and young people safe (Safeguarding);
 - Photographs;
 - CCTV images that may be captured whilst using the school;
 - Results of internal assessments and externally set tests and examinations
 - Curricular records and pupils' progress through the curriculum
 - Records about a pupils' behaviour both positive and negative
 - Attendance information

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- Details of any support received, including care packages, plans and support providers;
- Information we have received from our pupils' previous education provider, local authority or Department of Education.

4.2. Personal information may include your:

- Name, NHS number and date of birth;
- Home address, email address and telephone number(s);
- Contacts e.g. carers, relatives, and friends; and
- Opinions and decisions about your contact with our services.

4.3. More sensitive information may include your:

- Specific health data such as relevant history, diagnosis, formulation, therapy and therapeutic activities, prescription and as required drug administration, physical observations, test appointments and test results, dietary requirements and intake, assessments of capacity to consent to treatment, mental disorder, and information relevant to keeping you and others safe;
- Racial or ethnic origin;
- Religious beliefs (if appropriate); and
- Sexual orientation.

4.4. If you have previous criminal convictions or potentially have engaged in criminal activity, we may need to collect and use information relating to these matters so far as it is relevant to:

- the direct care we provide to you;
- the health and safety of our staff, other service users and visitors; and
- our safeguarding responsibilities including any duty to cooperate with multi-agency public protection arrangements.

4.5. Cynet uses secure digital systems and technologies, including cloud-based services, analytics tools, and assisted technologies, to support the delivery, safety, security and improvement of education services. Appropriate technical and organisational safeguards are in place to protect your information.

4.6. Some organisations or technology providers acting on our behalf may process information outside of the UK. Where this occurs, we ensure appropriate safeguards are in place to protect your information according to Data Protection Law.

5. OUR PURPOSES AND LAWFUL BASIS FOR PROCESSING YOUR INFORMATION

5.1. Cynet's purposes include being able to:

- Confirm your identity and status under mental health legislation;
- Assess your health/social care needs and deliver appropriate educational services;
- Prevent harm or injury to you or another person;
- While most of the information we collect is mandatory some information that we collect may not be if this is the case, we would let you know. Below is a list of legislation which educational providers must comply with:
Education Act 2002 (as amended)
Education Act 1996
Children and Families Act 2014 (SEND Reforms)
Childcare Act 2006 (as amended)

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The Education and Skills Act 2008
The Apprenticeship Skills, Children and Learning Act 2009
Equality Act 2010
Children Act 1989
Adoption and Children Act 2002
Children and Young Persons Acts 1963
Education Regulations 2002
School Standards and Framework Act 1998 and Academies Act 2010
DBS Update Service Guide June 2014
Keeping Children Safe in Education – Statutory Guidance September 2025

- This is not an exhaustive list and subject to change when legislation is created or amended

5.2. Processing includes any action we take with your information. Under UK GDPR we must have at least one lawful basis. We may have more than one. We explain each lawful basis below.

- Public task - Cynet uses your information where it is necessary to provide you with an education. This is a specific task in the public interest set out in law relating to the commissioning of publicly funded health and social care services.
- Legal Obligation – Cynet uses your information where it is necessary to comply with a legal obligation.
- Contract - Cynet uses your information where it is necessary for performing a contract with you or taking steps at your request before entering that contract.
- Consent – Cynet may use your information with your consent in circumstances where we are able to give you a real choice.
- Legitimate interests – Cynet may use your information where it is necessary for our legitimate interests or those of a third party (where they are not overridden by your rights).
- Vital interests – Cynet may use your information where it is necessary for emergency medical care, and you are unconscious or otherwise incapable of giving consent to the processing.

6. CONDITIONS FOR PROCESSING MORE SENSITIVE INFORMATION

6.1. Under Data Protection Law we must meet an extra condition where we process more sensitive information.

6.2. When we process information about your health, racial or ethnic origin, religious beliefs and sexual orientation (also known as special category data), at least one of the reasons below applies:

- Health or social care;
- Public health;
- Statistics for research;
- Regulatory requirements;
- Prevention or detection of unlawful acts;
- Safeguarding of adults at risk and / or children; or
- Disclosure to an elected representative.

6.3. If we process information about criminal convictions, allegations / investigations, and proceedings, at least one of the reasons at 6.2 above and /or below applies:

- You have given consent to the processing;

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- Protection of vital interests where you cannot consent;
- You have put the information in the public domain; or
- It is necessary for legal claims.

7. SHARING YOUR INFORMATION

Information about our pupils' is only shared with those involved in providing their care and education and their parents/carers or legal guardians. We will have to share information with education authorities and other regulators for the purpose of providing the education and to check that we are delivering the education appropriately. We would never share your information for the purposes of marketing. The only other time we might share your information is if we were required by law or for the prevention and detection of crime.

7.1. We may share your personal information with:

- Department for Education;
- Organisations with safeguarding / public protection duties;
- National Independent regulators for education services in England, Scotland and Wales;
- Government departments and agencies;
- The Police and other law enforcement agencies;
- Tribunals and Courts;
- Technology providers, cloud hosting providers, IT support providers, software suppliers and other data processors acting on our behalf under contractual confidentiality and security obligations;
- Ombudsmen schemes and other organisations to which we must respond if you have made a complaint to them;
- Our auditors / professional advisers (including solicitors and insurers).

8. YOUR RIGHTS UNDER DATA PROTECTION LAW

8.1. Data Protection Law gives you individual rights around the use of your personal information. These are:

The right to be informed

- You have the right to know what information we hold about you and how we use it;

The right to access your information

- You have the right to access the information that Cynet holds about you. This is often called making a Subject Access Request (SAR);

The right to rectification

- You have the right to ask us to update your records if you think they are not accurate;

The right to erasure (sometimes called the right to be forgotten)

- In certain circumstances you have a right to have your information erased but not where our lawful basis for processing is either public task or legal obligation (please see section 5 above);

The right to restrict processing

- If you feel that either the information, we hold about you is not accurate or you wish to raise another issue with us about what we do with it, you can ask for restrictions on processing, e.g. sharing, whilst we investigate. If you are a current service user, you can ask your care team for restrictions on processing your information. Otherwise please contact the Cynet Data Protection Officer (please see section 3 above);

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The right to data portability

- This right is limited to information we collected with your consent or the purpose of performing or entering a contract with you. It is a right to have the information sent to you or another data controller you nominate in a machine-readable format.

The right to object

- This is a right to give us reasons why you object to Cynet processing your information and tell us if you wish us to stop processing. Whether it is available depends on our lawful basis for processing (please see section 5 above). It does not apply where our lawful basis is either legal obligation or contract or vital interests. Where our lawful basis is public task, we may not agree to stop if the processing is for the defence of legal claims.

Rights around automated processing including profiling

- Cynet does not currently use your information to make decisions about you without the involvement of a teacher or other authorised employee, so these rights do not apply. We will update this privacy notice if this changes.

Right to complain to the Information Commissioner's Office (ICO)

- You have a right to complain to the ICO if you feel Cynet is not complying with Data Protection Law and / or are unhappy with any decision we have made about one of your other rights above. You can call the ICO's helpline on 0303 123 1113 or find information on how to complain to the ICO on their website <https://ico.org.uk/>. The ICO may expect you to have complained to us first. To do this you can email dataprotection@cygnethealth.co.uk or post a letter to Data Protection Officer, Cynet Health Care, Southside Building, 31 Hurst St, Birmingham, B5 4BD. If you are a pupil at one of our schools and need assistance with this, please ask your teachers, parents or carers to assist you.

9. HOW LONG WE KEEP YOUR INFORMATION

- 9.1. We have an ongoing project to digitise records kept on paper so most of your records will be kept in electronic format.
- 9.2. The usual retention periods for education records are as follows:
 - Pupil Records – 25 years from date of birth of the pupil
 - Pupil records with SEN - 31 years from date of birth of the pupilUnless we are legally required to keep them for longer.