



44AD  
artspace



## CAFE 44 GDPR Compliant Privacy Notice

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## **1.1 CAFE 44 GDPR Compliant Privacy Notice**

This Privacy Notice is a result of the 2016 General Data Protection Regulations Articles 13 & 14

CAFE 44 is a voluntary organisation and charity registered with 44AD Artspace who employ staff to provide an arts services for children and young people across B&NES. We obtain personal information about children and adults, who use our service which are essential in order to meet the needs of that person. This includes Registration and Booking Forms for the CAFE 44 Programme as well as personal information from employees, volunteers and adults wishing work within our services. For example, Disclosure and Barring Service Certificates and two references.

## **1.2 How CAFE 44 Use Your Personal Data**

The information we ask for helps us to care and support the children who are using the programme and will only be used for the purpose of providing the programme. We will never disclose or share this information without your consent, unless required to do so by law. The purposes and reasons for processing your personal data are detailed below:

We collect personal data as part of the requirements of the contract we have with you, either as a service user, employee or volunteer. The lawful basis for this data is under the Children Act 1989, 2004 and you provide the data freely for the purpose of us looking after your children (Article 6 compliance).

We collect and store personal data as part of our legal obligation for the paid or voluntary work employees and volunteers do for us and also for accounting and tax purposes.

## **1.3 Data Subject's Rights**

All service users have the right to access the personal information we hold which is primarily supplied by you, have any inaccurate data corrected, data portability, objecting to, or restricting how we use or process your data.

## **1.4 Sharing and Disclosing Your Personal Information**

We share anonymised personal data with funders and commissioners of contracts we deliver through a secure electronic transfer. This is so they have evidence of service usage and the difference the service has for children and young people. All data is stored on encrypted, password protected systems which is only accessed by certain staff members. Where we are required to comply with statutory obligations with regard to Safeguarding, which may require sharing data with statutory authority.



## 1.5 Employees and Service Users please see below the Department for Education's Seven Golden Rules for safeguarding practitioners sharing information.

All employees and volunteers will refer to this advice as well as undertaking the Bath and North East Somerset Introduction to Safeguarding Course.

### Department for Education Information sharing advice for safeguarding practitioners

1. Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice from other practitioners, or your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. Necessary, proportionate, relevant, adequate, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.



## 1.6

All staff and volunteers will read and understand part 1 and Annex A of the Department for Education's statutory safeguarding guidance, [Keeping Children Safe in Education](#), and review this guidance at least annually.

All staff will be aware of:

- Our systems which support safeguarding, including this child protection and safeguarding policy, the staff code of conduct, the role and identity of the designated safeguarding lead (DSL) and deputies, the behaviour policy, the whistle-blowing policy and the safeguarding response to children who go missing from education.
- The early help process (sometimes known as the early help assessment or EHA) and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment.
- The process for making referrals to local authority children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play.
- What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals.
- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation (CSE), indicators of being at risk from or involved with serious violent crime, FGM and radicalisation.

