

# Nigel Bishop Education Limited

## Privacy Policy

*Effective May 25th 2018*

We are committed to protecting your personal information and being transparent about what we do with it, no matter how you interact with us, whether to use our services or work with us.

We are committed to using your personal information in accordance with our responsibilities. We won't do anything with your information you wouldn't reasonably expect. We are required to provide you with the information in this Privacy Notice under applicable law, which includes (but is not limited to):

- the Data Protection Act 1998, which will be replaced by the General Data Protection Regulation (EU) 2016/679 from 25 May 2018 (the '**GDPR**'), and
- the Privacy and Electronic Communications (EC Directive) Regulations 2003.

This Privacy Notice applies to the personal information of individuals who interact with Nigel Bishop Education Ltd (including through The Positivity Well-being Centre or Jackie Bishop Textile Artist).

Processing of your personal information is carried out by or on behalf of Nigel Bishop Education Ltd, which is a company incorporated in the United Kingdom with company number 9751269.

This notice, together with our website [terms and conditions](#), tells you about how we collect, use and protect your personal information.

If you have any queries about our Privacy Notice, please get in touch with our data protection lead:

Email: [bishopofgrimsby@gmail.com](mailto:bishopofgrimsby@gmail.com)

Phone: 07505 425994

Post: Data Protection Officer, Nigel Bishop Education Ltd, 26 Charles Avenue, Scartho, Grimsby, N E Lincs, DN33 2DA

## How and when we collect information about you

### When you directly give us information

We may collect and store information about you when you interact with us. For example, this could be when you:

- get in touch with us via phone, website or other method of communication;
- register for an event
- tell us your story
- submit an enquiry

- register for or use our services
- participate in our training
- give us feedback
- make a complaint
- apply to work with us as an associate
- enter into a contract with us

### **When you indirectly give us information**

When you interact with us on social media platforms such as Facebook, Twitter or LinkedIn we may also obtain some personal information about you. The information we receive will depend on the privacy preferences you have set on each platform and the privacy policies of each platform. To change your settings on these platforms, please refer to their privacy notices. You should be aware that Nigel Bishop Education Ltd has no ownership over these websites who may process your data for their own purposes if you choose to use them.

We do not use cookies on our websites.

### **When you give permission to other parties to share it with us**

Your information might be shared with us by independent event organisers, for example Understanding Modern Gov or Learning Cultures Ltd. These independent third parties will only do so when you have given your consent. You should check their Privacy Policy when you provide your information to understand fully how they will process your information. We may also obtain information about you from a family member or a friend who contacts us on your behalf.

### **What information we might collect**

When you engage with us by telephone, mail or e-mail, in person or online, we may collect information about you (referred to in this Privacy Notice as 'personal information'). This may include:

- i) name
- ii) address (work or home)
- iii) email address (work or home)
- iv) telephone number (work or home)
- v) date of birth
- vi) job title and details of your education and career
- vii) why you are interested in Nigel Bishop Education Ltd
- viii) other information relating to you personally which you may choose to provide to us such as diversity information.

Please note that the above list of categories of personal information we may collect is not exhaustive. Any personal information collected will be processed in accordance with the approach outlined in this Privacy Policy.

Data protection law recognises that certain types of personal information are more sensitive. This is known as 'sensitive' or 'special category' personal information and covers information revealing racial or ethnic origin, religion, philosophical beliefs and political opinions, trade union membership, genetics, biometrics (where it is used for ID purposes), information concerning health or data concerning a person's sexual orientation, or sex life.

Sensitive information will only be collected where necessary, for example, we may need to collect health information from you when you register for an event or to access a service. Clear notices will be provided at the time we collect this information, stating what information is needed, and why.

In addition, we may process special categories of data, such as information about ethnic origin, sexual orientation or religion or belief. We may also collect information about whether or not applicants are disabled to make reasonable adjustments for those who have a disability. We process such information to carry out our obligations and exercise specific rights in relation to the provision of services.

With your explicit consent, we may also collect sensitive personal information if you choose to tell us about your experiences relating to our services for use in a case study (see separate Counselling Agreement).

### **If you're 16 or under**

If you're aged 16 or under, you must get your parent/guardian's permission before you provide any personal information to us.

## **How and why we use your information**

We will use your personal information for the following purposes:

- Responding to a request: If you contact us with a query, we may use your personal information to provide you with a response.
- Direct marketing: We will only send you marketing information by email, SMS, or phone if you have given us specific consent. If you withdraw your consent and then subsequently opt in to receive marketing information again, then your most recent preference may supersede.
- Monitoring and Evaluating: We may use your information in order to improve current and future delivery of our services. If diversity information is collected on an individual, all reporting will be anonymised.
- Transactional purposes: We will need to use your personal information in order to carry out our obligations arising from any contracts entered into between you and us for goods or services, for example, providing consultancy, training, art and craft activities, counselling
- Using our website: We may use your personal information to help provide you with access to our website, personalise your experience, and improve and develop it further.

- Administration: We may use your personal information to record and deal with a complaint, record a request not to receive further marketing information and for other necessary internal record keeping purposes.
- Protecting your vital interests: We may process your personal information where we reasonably think that there is a risk of serious harm or abuse to you or someone else (see also our Counselling Agreement).
- Market research and surveys: We may invite you to participate in surveys or market research to help us improve our website, services and strategic development. Participation is always voluntary and no individuals will be identified as a result of this research, unless you consent to us publishing your feedback. With each request we will provide you with an option to opt-out of further communication.
- Legal, regulatory and tax compliance: Where we are subject to a legal obligation, we may process your personal information to fulfil that obligation.

## Lawful basis of us processing your data

The GDPR sets out six reasons why we may lawfully process your personal information. When we process your personal information, we will ensure that we comply with one of these six lawful bases. We have set out four appropriate areas below.

### **Where processing your data is within our legitimate interests**

We are allowed to use your personal information where it is in our interests to do so, and those interests are not outweighed by any potential prejudice to you.

We don't think that any of the following activities prejudice individuals in any way. However, you do have the right to object to us at any time about processing your personal information on this basis. We have set out details regarding how you can go about doing this in the section on your rights to your data. Further, when we contact you by e-mail, we will include an option for you to alter the method with which we interact with you, at the end of the e-mail.

We process on the basis of our legitimate interests for:

- Profiling and analysis: This will help us communicate with you in a more focused, efficient and cost effective way, helping us reduce the chances of you receiving inappropriate or irrelevant communications
- Postal Marketing: Alternatively you may prefer we contact you using the postal system.
- Note keeping: An important part of the counselling process is note keeping, but any notes will be retained only for the duration of the working relationship between counsellor and client. They will be handwritten and the client's name will not appear with them to ensure anonymity.

## **Where you give us your consent to process your personal information**

We are allowed to use your data where you have specifically consented, for example during the signposting process to other service providers, when we think such processing will be in your interests too. In order for your consent to be valid:

- You have to give us your consent freely, without us putting you under any type of pressure;
- You have to know what you are consenting to – so we'll make sure we give you enough information to make an informed consent;
- You should only be asked to consent to one processing activity at a time – we therefore avoid "bundling" consents together so that you know exactly what you're agreeing to; and
- You need to take positive and affirmative action in giving us your consent – we're likely to provide a tick box for you to check so that this requirement is met in a clear and unambiguous fashion.
- Where we have sought your consent, we will only process for the purposes we specified at the time you provided your data. However, in the future we may wish to process your data for a different purpose as long as the new purpose is one you might reasonably expect and we will notify you of it beforehand, seeking fresh consent if required.

You have the right to withdraw your consent to these activities. You can do so at any time, and details of how to do so can be found below in the section on your rights to your data.

We seek your consent for:

- Necessary processing for the fulfilment of your financial interactions with Nigel Bishop Education Ltd or Jackie Bishop when you attend our training courses, counselling sessions or procure our educational consultancy services. Your decision to engage with these financial interactions is taken as affirmative action that you consent to our processing your personal information for this purpose, including the sharing of your payment details.
- Direct marketing by email or telephone, we seek your specific consent before contacting you by electronic means for marketing purposes.

We do not think that any of the above activities prejudice you in any way. However, you do have the right to object to us processing your personal information in certain circumstances. If you would like to know more about these circumstances and how to object to our processing activities, please see the "Right to object" section below.

## **Where processing is necessary for us to carry out our legal obligations**

As well as our obligations to you under our contract, we also have other legal obligations that we need to comply with and we are allowed to use your personal data when we need to in order to comply with those other legal obligations.

An example of a legal obligation that we need to comply with is our obligation to cooperate with tax authorities.

### **Where processing is necessary for the performance of a contract between you and us**

We may have a contract or other agreement in place with you, as a supplier or associate. In order for us to complete our obligations under this contract, we are permitted to process your personal information in furtherance of this contract. If we are discussing matters with a view to enter into an agreement, then the GDPR permits us to process your personal information in this instance also.

### **Who do we share your information with?**

We will only use your information for the purposes for which it was obtained. We will not, under any circumstances, sell or share your personal information with any third party for their own purposes, and you will not receive marketing from any other companies, charities or other organisations as a result of giving your details to us.

We will only share your data for the following purposes:

- Where legally required: We will comply with requests where disclosure is required by law, for example, we may disclose your personal information to the government for tax investigation purposes, or to law enforcement agencies for the prevention and detection of crime; we may also share your information with the emergency services if we reasonably think there is a risk of serious harm or abuse to you or someone else; where we are approached by tax, audit, or other authorities, when we believe in good faith that the law or other regulation requires us to share this data.
- We always aim to ensure that personal information is only used by those third parties for lawful purposes in accordance with this Privacy Policy.
- Where we believe that it is in your interests for us to do so, and with your consent where required. Examples include: medical professionals such as your GP or an occupational health specialist.
- Third party service providers who perform functions on our behalf (including external consultants, business associates and professional advisers such as lawyers, auditors, accountants, technical support functions and IT consultants carrying out testing and development work on our business technology systems);
- To process your payments we may need to pass some of your personal information to our bank Santander.

### **Links**

The Nigel Bishop Education Ltd (Challenging Children) and Positivity websites may include links to social media sites, not owned or managed by us, such as Facebook.

We cannot be held responsible for the privacy of your personal information collected by these websites not managed by us.

## **How we protect your information**

We use technical and corporate organisational safeguards to ensure that your personal information is secure. We limit access to information on a need-to-know basis and take appropriate measures to ensure that our people are aware that such information is only used in accordance with this Privacy Notice.

Counselling registration forms and notes will be handwritten and kept behind two locked doors, or transported in a locked container if necessary. Process and client notes will be anonymised and only shared appropriately within the context of clinical supervision.

We undertake regular reviews of who has access to information that we hold to ensure that your information is only accessible by appropriately trained staff and associates.

If use your account details to process payments we will pass them securely to our payment processing partners. We do this in accordance with industry standards and do not store the details.

However, please be aware that there are always inherent risks in sending information by public networks or using public computers and we cannot 100% guarantee the security of data (including personal information) disclosed or transmitted over public networks.

If you suspect any misuse or loss of or unauthorised access to your personal information please let us know immediately. Details of how to contact us can be found in the first section of this policy.

## **How long will we keep your information?**

We will keep your personal information in respect of financial transactions for as long as the law requires us to for tax or accounting purposes (which may be up to seven years after a particular transaction).

If you request that we stop processing your personal information for the purpose of marketing we may in some instances need to add your details to a suppression file to enable us to comply with your request not to be contacted.

In the case of people undergoing counselling at Positivity, all information will be permanently disposed of after 5 years from the end date of their last session. Please note that in certain circumstances, we may hold this data for a longer period if for example we believe in good faith that the law or relevant regulators require us to preserve your data.

In respect of other personal information, we will retain it for no longer than necessary for the purposes for which it was collected, taking into account guidance issued by the Information Commissioner's Office.

## Your rights to your personal information

Data protection legislation gives you the right to request access to personal information about you which is processed by Nigel Bishop Education Ltd and to have any inaccuracies corrected.

You also have the right to ask us to erase your personal information, ask us to restrict our processing of your personal information or to object to our processing of your personal information.

If you wish to exercise these rights, please refer to the above contact details to find out more.

## How can you access, amend or take back the personal information that you have given us?

One of the GDPR's main objectives is to protect the rights of individuals with regards to data privacy. Where we hold your personal information, you have various rights in relation to it, which are set out below.

To get in touch about these rights, please contact us, using the details listed in above. We aim to deal with your request without undue delay, and in any event within one month (subject to any extensions to which we are lawfully entitled). Please note that we may keep a record of your communications to help us resolve any issues that may be raised.

The GDPR gives you the following rights in relation to your personal information:

**Right to object:** this right enables you to object to us processing personal information you give us where we do so for one of the following reasons:

- because it is in our legitimate interests to do so;
- to enable us to perform a task in the public interest or exercise official authority;
- to send you direct marketing materials; or
- for scientific, historical, research, or statistical purposes.

The "legitimate interests" category above is the one most likely to apply, and if your objection relates to us processing your personal information because we deem it necessary for our legitimate interests, we must act on your objection by ceasing the activity in question unless:

We can show that we have compelling legitimate grounds for processing which overrides your interests; or we are processing your data for the establishment, exercise or defence of a legal claim.

**Right to withdraw consent:** Where we have obtained your consent to process your personal information for certain activities, you may withdraw all or part of your consent at any time and we will cease to carry out that particular activity unless we

consider that there is an alternative lawful basis to justify our continued processing of your data for this purpose, in which case we will inform you of this condition.

**Data Subject Access Requests (DSAR):** You may ask us to confirm what personal information of yours we hold about you at any time, and request us to modify, update or delete such information. We may ask you for more information about your request. If we provide you with access to the information we hold about you, we will not charge you for this unless your request is "manifestly unfounded or excessive". If you request further copies of this information from us, we may charge you a reasonable administrative cost. Where we are legally permitted to do so, we may refuse your request. If we refuse your request we will always tell you the reasons for doing so.

**Right to erasure:** You have the right to request that we "erase" your personal information in certain circumstances. Normally, the information must meet one of the following criteria:

- The data are no longer necessary for the purpose for which we originally collected and/or processed them;
- Where previously given, you have withdrawn your consent to us processing your data, and there is no other valid reason for us to continue processing;
- The data has been processed unlawfully (i.e. in a manner which does not comply with the GDPR);
- It is necessary for the data to be erased in order for us to comply with our obligations as a data controller under EU or Member State law; or
- If we process the data because we believe it necessary to do so for our legitimate interests, you object to the processing and we are unable to demonstrate overriding legitimate grounds for our continued processing.

We would only be entitled to refuse to comply with your request for one of the following reasons:

- To exercise the right of freedom of expression and information;
- To comply with legal obligations or for the performance of a public interest task or exercise of official authority;
- For public health reasons in the public interest;
- For archival, research or statistical purposes; or
- To exercise or defend a legal claim.

When complying with a valid request for the erasure of data we will take all reasonably practicable steps to delete the relevant data.

**Right to restrict processing:** You have the right to request that we restrict our processing of your personal information in certain circumstances. This means that we can only continue to store your data and will not be able to carry out any further processing activities with it until either: (i) one of the circumstances listed below is resolved; (ii) you consent; or (iii) further processing is necessary for either the

establishment, exercise or defence of legal claims, the protection of the rights of another individual, or reasons of important EU or Member State public interest. The circumstances in which you are entitled to request that we restrict the processing of your personal information are:

- Where you dispute the accuracy of the personal information that we are processing about you. In this case, our processing of your personal information will be restricted for the period during which the accuracy of the data is verified;
- Where you object to our processing of your personal information for our legitimate interests. Here, you can request that the data be restricted while we verify our grounds for processing your personal information;
- Where our processing of your data is unlawful, but you would prefer us to restrict our processing of it rather than erasing it; and
- Where we have no further need to process your personal information but you require the data to establish, exercise, or defend legal claims.

If we have shared your personal information with third parties, we will notify them about the restricted processing unless this is impossible or involves disproportionate effort. We will, of course, notify you before lifting any restriction on processing your personal information.

**Right to rectification:** You also have the right to request that we rectify any inaccurate or incomplete personal information that we hold about you, including by means of providing a supplementary statement. If we have shared this personal information with third parties, we will notify them about the rectification unless this is impossible or involves disproportionate effort. You may also request details of the third parties that we have disclosed the inaccurate or incomplete personal information to. Where we think that it is reasonable for us not to comply with your request, we will explain our reasons for this decision.

**Right of data portability:** If you wish, you have the right to transfer your personal information between data controllers. In effect, this means that you are able to transfer the details we hold on you to a third party. To allow you to do so, we will provide you with your data in a commonly used machine-readable format so that you can transfer the data to a third party. Alternatively, we may directly transfer the data for you. This right of data portability applies to: (i) personal information that we process automatically (i.e. without any human intervention); (ii) personal information provided by you; and (iii) personal information that we process based on your consent or in order to fulfil a contract.

**Right to lodge a complaint with a supervisory authority:** You also have the right to lodge a complaint with your local supervisory authority which is the Information Commissioner's Office in the UK. You can contact them in the following ways:

- Phone: 0303 123 1113
- Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)
- [ICO.org.uk](https://ico.org.uk) via Live chat

- Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

If you would like to exercise any of these rights, or withdraw your consent to the processing of your personal information (where consent is our legal basis for processing your personal information), please contact us using the details found in section 1. Please note that we may keep a record of your communications to help us resolve any issues which you raise.

## **How to make a complaint or raise a concern**

If you would like more information, or have any questions about this policy, to make a formal complaint about our approach to data protection or raise privacy concerns please contact the Data Protection Lead:

Email: [bishopofgrimsby@gmail.com](mailto:bishopofgrimsby@gmail.com)

Phone: 07505 425994

Post: Data Protection Officer, Nigel Bishop Education Ltd, 26 Charles Avenue, Scartho, Grimsby, N E Lincs, DN33 2DA

If you are not happy with the response you receive after making a complaint, then you can raise your concern with the relevant statutory body:

Information Commissioner's Office:

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Alternatively you can [visit their website](http://ico.org.uk) at <http://ico.org.uk>

## **Changes to our Privacy Notice**

Our Privacy Notice may change from time to time, so please check this page occasionally to see if we have included any updates or changes, and that you are happy with them.

(Last updated: 15 May 2018)