



## **Cultura Kids Spanish - Privacy Notice for Customers, Employees, Workers and Volunteers**

Last Updated: 3 November 2023

This Privacy Notice is published on the Cultura Kids Spanish website and is also available to parents, carers or those working with or for the company, upon request. Also available is the Cultura Kids Spanish Data Protection, Security and Privacy Policy.

### **What this Privacy Notice is for**

This Privacy Notice is intended to provide information about how Cultura Kids Spanish will use (or “process”) personal data about individuals, which includes the participants in our programmes, their parents, carers and those working for or with the company. This information is being provided because individuals have rights under Data Protection laws to understand how their data is used.

This notice is to be read alongside any other sources of information that Cultura Kids Spanish provides about using personal data (such as when submitting a registration form). This also applies in addition to any other applicable terms and conditions, policies or contracts between the company and parents and carers of participants, or those working for or with Cultura Kids Spanish.

Anyone acting on behalf of Cultura Kids Spanish (as an employee, volunteer, contractor or otherwise) should be aware of and comply with the Privacy Notice and the Data Protection, Security and Privacy Policy, as amended from time to time.

### **Our Responsibility for Data Protection**

The Club Director is responsible for data related matters, and will deal with any enquiries about the use of personal data. The Club Director will endeavour to ensure that all personal data is processed in compliance with the Data Protection laws.

### **Why Cultura Kids Spanish Needs to Process Personal Data**

To provide a service to our customers, Cultura Kids Spanish needs to process a variety of personal data about individuals, including those working for or with us, past and present participants and their parents or carers. Sometimes this is done to fulfill our legal obligations and sometimes this is done in accordance with our legitimate business interests, provided that these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data.

Cultura Kids Spanish considers the following as part of our legitimate business interests:

- to attract and admit new participants
- to support participant learning
- to monitor and report participant progress
- to provide appropriate pastoral care

- to assess the quality of our services
- to keep children, staff and volunteers safe (for example for safeguarding, food allergies, extra support or emergencies)
- to make use of photos or videos of participants on our website, social media and other marketing (where consent is given)
- to enable the development of a comprehensive picture of the workforce and how it is deployed
- to inform the development of recruitment and retention policies
- to enable individuals to be paid

Sometimes Cultura Kids Spanish will also need to process special category personal data (concerning health, ethnicity, religion, biometrics or sexual life) or criminal records information in accordance with rights or duties imposed by law, including as regards safeguarding and employment, or by explicit consent when required. The reasons why we need to do this include:

- to safeguard participants' welfare and provide the appropriate care and if needed, take appropriate action in the event of an incident, including disclosing an individual's medical information;
- to provide specialised tuition in the context of any special educational needs or learning difficulties;
- in connection with employment of staff, their welfare or pension plans; and
- for legal and regulatory purposes and to comply with any legal obligations or duties of care.

### **Types of Personal Data we Process**

Some examples of the types of data we process are:

- names, addresses, phone numbers, email addresses and other contact details;
- dates of birth;
- language abilities;
- information about individuals' health, and contact details for their next of kin;
- background and experience documentation, including CVs, references and previous qualifications;
- images of staff or participants engaging in Cultura Kids Spanish activities, or for marketing purposes; and
- bank details and other financial information.

### **How Cultura Kids Spanish Collects Data**

Cultura Kids Spanish usually receives personal data from the individual directly, or, in the case of participants, from their parents or carers. This could be via a paper or online form, through email, through social media or other electronic forms of communication.

### **Who has Access to Personal Data**

Personal information is managed by the Club Director and other senior members of the Cultura Kids Spanish team. Staff and volunteers will also indirectly have access to personal data by virtue of the fact that the information is necessary to safely and effectively run our

programmes (for example by taking the register, accessing emergency contact details when needed, having regard to children's allergies and intolerances, and so forth).

On occasion, it may be necessary to share information with third parties, such as government authorities (for example HMRC, the police or the local authority), regulatory bodies, professional advisers, or similar.

We recognise that there are stricter rules in place for medical records and pastoral and safeguarding files. However, some information relating to safeguarding, medical, pastoral, SEN or a participant's learning difficulties may need to be provided to staff appropriately and to provide a quality service.

Parents and carers, participants and those working for or with Cultura Kids Spanish are reminded that we follow government guidance (including "Keeping children safe during community activities, after-school clubs and tuition: non-statutory guidance for providers running out-of-school settings"), which may require us to record or report incidents and concerns that arise or are reported to us if they meet the threshold of seriousness in nature or regularity.

In accordance with Data Protection laws, some of our processing activities may be carried out on our behalf by third parties, such as web developers or cloud storage providers.

Any external providers we use will store the data that we provide them in premises within the European Economic Area (EEA) and will not transfer the data outside the EEA unless they have explicit consent to do so.

### **How Long we Keep Personal Data**

Cultura Kids Spanish will keep personal data securely and only for as long as is necessary for legitimate and lawful purposes. The recommendation for staff and participant records is 7 years following the departure from our employ or programme. However, in the case of safeguarding records or other significant records, these may need to be retained for longer.

We consider that good recording keeping, appropriate storage and safe disposal form a part of the effective management of our business and adhering to our obligations. If you have any questions about how our retention policy is applied or wish to request that your data be considered for deletion, please contact the Club Director in writing.

### **Keeping in Touch**

Cultura Kids Spanish will use the contact details provided by parents and carers to keep them updated about our programmes and important information for their child's participation. We will also communicate updates and information about upcoming events and programmes.

Individuals have the right to withdraw consent, where given, or to object to direct marketing and fundraising. Should you wish to object to any such use, please contact the Club Director in writing.

### **Your Rights**

#### Who do rights belong to

The rights under the Data Protection laws belong to the individual to whom the data relates. However, Cultura Kids Spanish will usually rely on parental authority or notice for the ways it processes this data. This will be the case in particular because the age of the children we

instruct will not be of sufficient maturity to make data-related decisions for themselves.

### Right of Access

Individuals have rights under the Data Protection laws to access and understand the personal data held by Cultura Kids Spanish. In some cases and subject to certain exemptions and limitations, they also have the right to ask for it to be erased or amended, have it transferred to others or for Cultura Kids Spanish to stop processing it. Should you wish the use of your data to be altered in some way, please contact the Club Director in writing.

The right of access is limited to your own personal data and certain data is exempt from the right of access. This will include data that identifies other individuals (even where the data includes their own children) and information subject to legal circumstances. Requests will be considered on a case by case basis.

### Right to be Forgotten

There may be reasons you wish for your data to be deleted. However, this may be refused, for example, where there is a legitimate reason, such as a legal requirement or where it falls within a legitimate interest.

### Where Cultura Kids Spanish Relies on Consent

There are some instances where Cultura Kids Spanish relies on consent. This consent can be withdrawn at any time. Examples of where we rely on consent are to use you or your child's image for marketing purposes and to opt into our mailing list where you are not a customer.

### **Data Accuracy and Security**

Cultura Kids Spanish will work to ensure that all personal data held is as up to date and as accurate as possible. Individuals or their parents or carers and those working for or with Cultura Kids Spanish should ensure they keep us up to date as any information changes. Individuals have the right to request that any irrelevant or inaccurate information be erased and corrected (subject to certain exemptions under Data Protection laws).

### **Queries and Complaints**

Any comments or queries on this Privacy Notice should be directed to the Club Director using the email address [info@culturakids.co.uk](mailto:info@culturakids.co.uk). If an individual believes that this policy has not been complied with or that Cultura Kids Spanish has acted otherwise than in accordance with Data Protection law, they should notify the Club Director or may lodge a complaint with the Information Commissioner's Office (the "ICO"). Please note that the ICO recommends that steps are taken to resolve the matter with the company before involving the regulator.