



Data Protection (UK GDPR) Policy

Version:	July 2026
Review Cycle:	Annually
Approved by:	Board of Trustees
Policy Owner:	Data Protection Officer (DPO) and Board of Trustees
Next Review Date:	July 2027
ICO Registration	ZC022622



1. Statement of Intent

Autism Angels is committed to protecting the privacy, confidentiality and rights of all individuals whose personal information we hold. As a therapeutic outdoor Alternative Provision and wellbeing provider supporting children, young people and families, we process personal and special category data, including information relating to health, education, safeguarding and wellbeing.

This policy sets out how Autism Angels complies with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and associated legislation and guidance. It ensures that personal data is handled lawfully, fairly, transparently and securely at all times.

Autism Angels are committed to maintaining the highest standards of data protection while enabling effective safeguarding, therapeutic support and educational provision.

2. Scope

This policy applies to:

- Trustees
- Employees
- Volunteers
- Students and work experience placements
- Any individual acting on behalf of Autism Angels

The policy applies to all personal data processed by Autism Angels in paper, electronic, photographic, video or any other format.

3. Legal Framework

This policy is based on the requirements of:

- UK General Data Protection Regulation (UK GDPR)
 - Data Protection Act 2018
 - Privacy and Electronic Communications Regulations 2003 (PECR)
 - Data Use and Access Act 2025 (DUAA)
 - Freedom of Information Act 2000 (where applicable)
 - Human Rights Act 1998
 - Education (Pupil Information) (England) Regulations 2005
 - Keeping Children Safe in Education (KCSIE) 2025
 - DfE Guidance: Data Protection in Schools and Educational Settings
 - ICO Guide to UK GDPR
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4. Data Protection Principles

Autism Angels will ensure that personal data is:

1. Processed lawfully, fairly and transparently.
 2. Collected and processed for specified, explicit and legitimate purposes.
 3. Adequate, relevant and limited to what is necessary.
 4. Accurate and, where necessary, kept up to date.
 5. Kept only for as long as necessary.
 6. Processed securely using appropriate technical and organisational measures.
 7. Processed in a way that demonstrates accountability and compliance.
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5. Definitions

Personal Data – Any information relating to an identified or identifiable living individual.

Special Category Data – Personal data including health information, or other protected information.

Processing – Any operation(s) performed on personal data including collection, recording, organisation, structuring, storage, sharing, retrieval, amendment, restriction or deletion.

Data Subject – The individual whose personal data is being processed.

Child – GDPR defines a child as a person below the age of sixteen. The UK DPA further states that any child can give their own consent from the age of thirteen.

Data Controller – Autism Angels.

6. Roles and Responsibilities

Trustees

The Trustees are responsible for ensuring that Autism Angels complies with UK GDPR and data protection legislation.

Charity Manager / Founder

The Charity Manager has overall operational responsibility for ensuring this policy is implemented and monitored.



Data Protection Officer (DPO)

Autism Angels has appointed a Data Protection Officer who acts as the central point of contact for all data protection matters.

Data Protection Officer: Howard Whittaker

Email: info@autismangels.co.uk

Telephone: +44 7376 134007

The DPO is responsible for:

- Monitoring compliance with this policy and with data protection law.
- Advising on data protection obligations.
- Maintaining records of processing activities.
- Advising on Data Protection Impact Assessments (DPIAs).
- Managing Subject Access Requests.
- Coordinating responses to personal data breaches.
- Acting as the primary contact with the Information Commissioner's Office (ICO).

Staff and Volunteers

All staff and volunteers must:

- Process personal data only where authorised.
- Keep personal data confidential.
- Follow this policy and related procedures.
- Report any suspected data breach immediately.
- Complete required data protection training.

7. Accountability and Record Keeping

Autism Angels maintains appropriate records demonstrating compliance with UK GDPR, including where applicable:

- Categories of personal data processed.
- Purposes of processing.
- Lawful bases for processing.
- Data sharing arrangements.
- Data retention schedules.
- Security measures.
- Data breach records.
- DPIA records.

Data protection is considered during the design of new services, systems, processes and projects in accordance with the principle of **data protection by design and by default**.

8. Lawful Bases for Processing

Autism Angels will identify and document the lawful basis for processing personal data before processing begins.

The lawful bases most commonly relied upon are:

Legal Obligation

Processing necessary to comply with legal duties including safeguarding, health and safety, employment, charity and financial obligations.

Contract

Processing necessary to fulfil agreements with staff, volunteers, contractors, local authorities, schools or families.

Legitimate Interests

Processing necessary for the legitimate operation of Autism Angels, provided these interests do not override the rights of the individual.

Consent

Where required, consent will be freely given, specific, informed and capable of being withdrawn at any time.

Vital Interests

Processing necessary to protect life or prevent serious harm in emergency situations.

Special Category Data

Autism Angels processes special category data including health, SEND, EHCP and safeguarding information.

Such data will only be processed where an additional UK GDPR or UK Data Protection Act 2018 condition applies, including:

- Explicit consent.
- Health or social care purposes.
- Safeguarding of children and individuals at risk.
- Substantial public interest.
- Legal obligations relating to education, health or social care.
- Support for individuals with a disability or medical condition.

Data relating to criminal offences / convictions

It is not expected that Autism Angels will typically process data on criminal offences, however it is possible that processing of this data may be required on occasion. In such circumstances, this data will only be processed where it meets a specific condition under DPA 2018.

9. Information We Process

Autism Angels may process information relating to:

- Children and young people.
- Parents and carers.
- Staff and volunteers.
- Trustees.
- Donors and supporters.
- Partner agencies.

This may include:

- Name
 - Contact details.
 - Date of birth.
 - Education records.
 - EHCP information.
 - Medical and health information.
 - Behaviour and wellbeing records.
 - Attendance records.
 - Safeguarding information.
 - Photographs and videos.
 - Employment and recruitment information.
 - DBS information where applicable.
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10. Privacy Notices

Autism Angels provides clear and accessible privacy notices explaining:

- What information is collected.
- Why it is collected.
- The lawful basis for processing.
- How information is used.
- Who information may be shared with.
- How long information is retained.



- Individual rights.
- How to complain to the ICO.

Privacy notices are reviewed annually and whenever significant changes occur.

11. Subject Access Requests (SARs)

Individuals have the right to access personal data held about them.

Requests can be made verbally, in writing or through other means and do not need to explicitly reference that it is a SAR.

Procedure

Upon receiving a request, Autism Angels will:

1. Record the request.
2. Verify the identity of the requester.
3. Clarify the request if necessary.
4. Locate relevant personal data.
5. Review information for third-party confidentiality and safeguarding considerations.
6. Provide a response securely.
7. Provide a response in an easy to understand and accessible format. Where the response is being provided to a child, we will ensure that the information can be understood by a child.

Timescales

- Responses will be provided **without undue delay and within one calendar month** of receipt.
- Where requests are complex or numerous, the period may be extended by **up to two additional months**.
- The requester will be informed of any extension within the initial one-month period.

Autism Angels may refuse manifestly unfounded or excessive requests where permitted by law and will explain the reasons and the right to complain to the ICO.

12. Other Individual Rights

Individuals may request:

- Rectification of inaccurate information.
- Erasure of data in certain circumstances.

- Restriction of processing.
- Objection to processing.
- Data portability where applicable.
- Withdrawal of consent where consent is relied upon.

Requests will be handled by the DPO in accordance with UK GDPR requirements.

13. Data Sharing

Personal data will only be shared where lawful, necessary and proportionate.

Information may be shared with:

- Local Authorities.
- Schools and educational settings.
- Health professionals.
- Social care.
- Safeguarding partners.
- Regulatory bodies.
- Funding bodies where required.
- Professional advisers.
- IT providers acting under appropriate contracts.

Autism Angels recognises that **UK GDPR does not prevent the sharing of information for safeguarding purposes**. Information will be shared without consent where necessary to protect a child or vulnerable person from harm.

14. Data Protection Impact Assessments (DPIAs)

Autism Angels will carry out a **Data Protection Impact Assessment (DPIA)** before introducing any processing activity that is likely to result in a **high risk to the rights and freedoms of individuals**.

Examples of high-risk processing include:

- Processing large amounts of special category data.
- Health, SEND and EHCP information.
- Therapeutic assessments and wellbeing records.
- Safeguarding systems.
- Cloud-based data management systems.
- Digital attendance or case management systems.
- Photography or video systems used systematically.
- AI or automated decision-making technologies.

A DPIA will include:

- A description of the proposed processing.
- The purpose of the processing.
- The lawful basis.
- Assessment of necessity and proportionality.
- Identification of risks to individuals.
- Measures to reduce or eliminate those risks.
- Consultation with the DPO.

Where a DPIA identifies risks that cannot be adequately mitigated, Autism Angels will consult the Information Commissioner's Office before commencing processing.

15. Data Security

Autism Angels is primarily an outdoor provision and holds only a limited number of organisational digital devices. Nevertheless, we implement appropriate technical and organisational security measures.

Organisational Measures

- Confidentiality agreements.
- Staff and volunteer training.
- Role-based access to information.
- Secure record keeping procedures.
- Secure disposal of records.
- Clear desk and clear screen practices where applicable.

Physical Security

- Paper records stored in locked cabinets or secure storage.
- Restricted access to confidential files.

Digital Security

- Password-protected devices and accounts.
- Multi-factor authentication where available and appropriate.
- Encrypted cloud storage.
- Secure backups.
- Restricted access permissions.
- Secure sharing through approved platforms.
- Regular software and security updates.

Autism Angels does not permit personal data to be stored on unsecured personal devices or removable media without authorisation and appropriate encryption.

16. Personal Data Breaches

A **personal data breach** includes accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.

Examples include:

- Sending information to the wrong recipient.
- Loss of paper records.
- Loss or theft of a device containing personal data.
- Unauthorised access to records.
- Cyber incidents affecting personal data.

Internal Reporting

Any suspected or actual breach must be reported **immediately** to the DPO.

The DPO will:

1. Record the incident.
2. Assess whether a personal data breach has occurred.
3. Assess the risks to individuals.
4. Contain and mitigate the breach.
5. Determine whether ICO notification is required.
6. Determine whether affected individuals must be informed.
7. Record actions taken and lessons learned.

ICO Notification

Where a breach is likely to result in a **risk to the rights and freedoms of individuals**, Autism Angels will notify the **Information Commissioner's Office within 72 hours** of becoming aware of the breach.

Where a breach is likely to result in a **high risk** to individuals, affected individuals will also be informed without undue delay.

All breaches, whether reportable or not, will be documented.

17. Data Retention

Autism Angels retains personal data only for as long as necessary for the purpose for which it was collected and in accordance with legal, safeguarding and educational requirements.

As a general principle:

- Learner records will normally be retained until the young person reaches **25 years of age** where they have accessed Autism Angels educational or therapeutic services.
- Safeguarding records will be retained in accordance with statutory guidance.
- Staff records will be retained in accordance with employment and regulatory requirements.
- DBS information will be handled in accordance with DBS and ICO guidance.

Paper records will be securely shredded and electronic records securely deleted when no longer required.

18. Training and Awareness

Relevant staff and volunteers will receive:

- Data protection awareness training at induction.
- Regular refresher training.
- Additional guidance when systems or legislation change.

Training includes confidentiality, secure handling of records, recognising Subject Access Requests, and reporting data breaches.

19. Monitoring and Review

This policy will be reviewed **annually** or sooner if:

- Legislation changes.
- ICO guidance changes.
- DfE guidance changes.
- Significant changes occur within Autism Angels.
- A serious data breach indicates that revisions are required.

The DPO will monitor compliance and report significant data protection issues to the Trustees.

20. Related Policies

- Child Protection and Safeguarding Policy
- Privacy Notice
- Code of Conduct

- Safer Recruitment Policy
- Complaints Policy

21. Data Protection Complaints

Individuals who are dissatisfied with the way Autism Angels has handled their personal data may log a complaint in line with the Autism Angels Complaints Policy.

We will ensure that the Complaints Policy meets the expectations for handling data protection complaints as per the Data Use and Access Act (DUAA) 2025 and related ICO guidance, in particular:

- providing a way of making data protection complaints;
- acknowledging receipt of complaints within 30 days of receiving them;
- without undue delay, taking appropriate steps to respond to complaints, including making appropriate enquiries, and keep people informed; and
- without undue delay, tell people the outcome of their complaints.

Information Commissioner's Office (ICO)

Autism Angels is registered with the Information Commissioner's Office.

ICO Registration Number: ZC022622

Individuals who remain dissatisfied with the way Autism Angels has handled their personal data following conclusion of the internal complaints process may raise concerns with the Information Commissioner's Office:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

Website: <https://ico.org.uk>

Telephone: 0303 123 1113

Approved by:

Review Date: July 2027

This Draft Policy and associated documents and processes have been under review by a new Trustee, Samantha Smith, who holds the Practitioner Certificate in Data Protection and works as a Data Protection Officer in a corporate organisation. The proposed policy is due to be approved by the board by September 2026.

