

PRIVACY PROCEDURE (TIER 2)

1. Scope

All information and data processing of personal data by Luminate Education Group is within the scope of this procedure.

2. Responsibilities

- 2.1 The Organisation Data Protection Officer / GDPR Owner is responsible for ensuring that the privacy notice(s) is correct and that mechanisms exist such as having the Privacy Notice(s) on the organisation website to make all data subjects aware of the contents of this notice prior to collection of their data.
- 2.2 All staff that need to collect personal data are required to follow this procedure.

3. Procedure Article 12

- 3.1 Each organisation within the Luminate Education Group identifies the legal basis for processing personal data before any processing operations take place by clearly establishing, defining and documenting:
 - 3.1.1 the specific purpose of processing the personal data and the legal basis to process the data under:
 - 3.1.1.1 consent obtained from the data subject;
 - 3.1.1.2 performance of a contract where the data subject is a party;
 - 3.1.1.3 legal obligation that the each organisation is required to meet;
 - 3.1.1.4 protect the vital interests of the data subject, including the protection of rights and freedoms;
 - 3.1.1.5 official authority of each organisation within the Luminate Education Group to carry out the processing that is in the public interest;
 - 3.1.1.6 necessary for the legitimate interests of the data controller or third party, unless the processing is overridden by the vital interests, including rights and freedoms;
 - 3.1.1.7 national law.
 - 3.1.2 any special categories of personal data processed and the legal basis to process the data under:
 - 3.1.2.1 explicit consent obtained from the data subject;
 - 3.1.2.2 necessary for employment rights or obligations;
 - 3.1.2.3 protect the vital interests of the data subject, including the protection of rights and freedoms;
 - 3.1.2.4 necessary for the legitimate activities with appropriate safeguards;
 - 3.1.2.5 personal data made public by the data subject;
 - 3.1.2.6 legal claims;
 - 3.1.2.7 substantial public interest;

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- 3.2 Each organisation within the Luminate Education Group College records this information in line with its dataprotection impact assessment and data inventory.

4. Privacy notices

- 4.1 When personal data collected from a data subject with consent
- 4.1.1 Each organisation within the Luminate Education Group is transparent in its processing of personal data and provides the data subject with the following:
- 4.1.1.1 Each organisation within the Luminate Education Groups identity, and contact details of the Data Protection Officer / GDPR Owner and any data protection representatives;
- 4.1.1.2 The purpose(s), including legal basis, for the intended processing of personal data (clause 4.2 below);
- 4.1.1.3 Where relevant, the legitimate interests that provide the legal basis for the processing;
- 4.1.1.4 Potential recipients of personal data;
- 4.1.1.5 Any information regarding the intention to disclose personal data to third parties and whether it is transferred outside the EU. In such circumstances, each organisation will provide information on the safeguards in place and how the data subject can also obtain a copy of these safeguards;
- 4.1.1.6 Any information on website technologies used to collect personal data about the data subject;
- 4.1.1.7 Any other information required to demonstrate that the processing is fair and transparent.
- 4.1.2 All information provided to the data subject is in an easily accessible format, using clear and plain language, especially for personal data addressed to a child.
- 4.1.3 Each organisation within the Luminate Education Group facilitates the data subject's rights in line with the data protection policy and the subject access request procedure.
- 4.1.4 Privacy notice for this personal data processing is recorded
- 4.2 When data is contractually required for processing
- 4.2.1 Each organisation within the Luminate Education Group facilitates the data subject's rights in line with the data protection and processes data without consent in order to fulfill contractual obligations such as staff personal details to process salaries, student personal details to process course studies and examinations, etc.
- 4.2.2 Privacy notice for this personal data processing is recorded on the organisation website.
- 4.3 When personal data has been obtained from a source other than the data subject
- 4.3.1 Each organisation within the Luminate Education Group makes clear the types of information collected as well as the source of the personal data (publicly accessible sources) and provides the data subject with:
- 4.3.1.1 Each organisation (data controller) identity, and contact details of the Data Protection Officer / GDPR Owner and any data protection representatives;
- 4.3.1.2 The purpose(s), including legal basis, for the intended processing of personal data;
- 4.3.1.3 Categories of personal data;

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- 4.3.1.4 Potential recipients of personal data;
 - 4.3.1.5 Any information regarding disclosing personal data to third parties and whether it is transferred outside the EU and will provide information on the safeguards in place and how the data subject can also obtain a copy of these safeguards;
 - 4.3.1.6 Any other information required to demonstrate that the processing is fair and transparent.
- 4.3.2 Privacy notice for this personal data processing is recorded

Document owner and approver

The Luminate Director of IT is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of the GDPR.

A current version of this document is available to all members of the Luminate Education Group.

This procedure is issued on a version controlled basis.

Change History Record

Issue	Description of Change	Date of Policy
1.0	Initial issue	14/11/2017
1.1	Annual Review	01/11/2018
1.2	Annual Review – Responsibilities updated	21/11/2019
1.3	Annual Review – Luminate Education Group	14/11/2020
1.4	Annual Review – Privacy Notices updated	22/11/2021
1.5	Annual Review and update	02/11/2022
1.6	Annual update – no changes	25/09/2023
1.7	Annual Review – added 4.3.1.6	17/10/2024