

## **The National Autistic Society - Student Support Privacy Notice**

This privacy notice applies to all students / learners supported by The National Autistic Society (NAS) in College or University. It outlines how we collect, use, store, and protect your personal information and how, in doing so we comply with our legal obligations to you.

The National Autistic Society acts as a third party providing external support to colleges and universities in the way of individuals to assist students. The basis for the support provided to students with a disability, health condition or specific learning difficulty is determined partly by legal requirements (The Equality Act 2010) but also by the College or University's standards, strategy and values which incorporate being 'inclusive'. Effective support to students is, therefore, extremely important to all the Colleges & Universities we work with and we provide our services to fulfil the performance of a contract with all the Colleges & Universities we work with.

The NAS must therefore process personal data (including sensitive personal data) so that it can provide these services – in doing so, the Charity acts as a data controller.

If you have any questions about this notice or how we handle your personal information, please contact us at [dataprotection@nas.org.uk](mailto:dataprotection@nas.org.uk)

The National Autistic Society is registered with the Information Commissioner's Office under the following registration number: Z7503397.

### **Contacting our Data Protection Officer**

Data Protection Officer  
National Autistic Society  
2nd Floor  
Weston House  
42 Curtain Road  
London  
EC2A 3NH

Email: [dataprotection@nas.org.uk](mailto:dataprotection@nas.org.uk)

### **How We Collect Personal Information**

You may give your personal details to the NAS directly, such as through a college or university provided information form or directly via e-mail, or alternatively we may collect them directly from your college or university providing you have consented to doing so.

The Charity must have a legal basis for processing your personal data. For the purposes of providing you external support services we will only use your personal data in accordance with the terms below.

## Categories of Personal Information

### Standard personal information may include:

- contact information, such as your name, username, address, email address and phone numbers
- the country you live in, your age, your date of birth and national identifiers (such as your National Insurance number or passport number)
- information about your employment
- details of any contact we have had with you, such as any complaints or incidents
- financial details, such as details about your payments and your bank details
- the results of any credit or any anti-fraud checks we have made on you
- information about how you use our products and services
- information about how you use our website, apps or other technology, including IP addresses or other device information (please see our [Cookies policy](#) for more details).

### Special category information may include:

- information about your physical or mental health, including diagnosis of condition, genetic information or biometric information, information about your race, ethnic origin and religion (we may get this information from your medical or care home preferences to allow us to provide support and services that are tailored to your needs).

## Purpose and Legal Basis for Processing Your Personal Information

The NAS will collect your personal data (which may include sensitive personal data) and will process your personal data for the purposes of fulfilling a contract with your college or university to provide support to their students. The legal bases we rely upon to offer these services to you are:

- Consent
- Contractual obligation
- Statutory requirements

### Contractual obligation

Where the Charity has relied on a contractual obligation to process your personal data our legitimate interests is/are as follows:

The NAS acts a third party providing external support to colleges and universities in the way of individuals to assist students. The basis for the support provided to students with a disability, health condition or specific learning difficulty is determined partly by legal requirements (The Equality Act 2010) but also by the College or University's standards, strategy and values which incorporate being 'inclusive'. Effective support to students is, therefore, extremely important to all the Colleges & Universities and we provide our services to fulfil the performance of a contract with all the Colleges & Universities we work with.

### **Statutory requirement**

Your personal data is required by law and/or a contractual requirement (e.g. required by The NAS to fulfil HMRC tax and auditing purposes), and/or a requirement necessary to enter into a contract. You are obliged to provide the personal data and if you do not the consequences of failure to provide the data are:

- On initial contact, The NAS would be unable to assist you in sourcing an external support worker through our agency.
- Following the assignment of a support worker and actively beginning working with this support worker from the NAS, your personal data will be required by law for the purposes of payroll, HMRC & DWP.

### **Sharing your information**

The Charity will process your personal data and/or sensitive personal data with the following recipients:

- SAAS/SFE/SFW/SFNI/Any other relevant funding body – The NAS will have to pass on basic information relating to your Funding Authority reference number to ensure we can pay our external support workers for providing you support.
- Your College or University – In some instances we may have to contact your College or University directly to discuss any issues or problems in terms of your support or assisting in organising your support.
- NAS Support Worker(s) – The NAS will pass your information to the employed individual or individuals for who will provide the type of support specified in your Award Letter, this person will then contact you directly in order to arrange support.

If we share your personal information, we will make sure appropriate protection is in place to protect your personal information in line with data protection laws.

## Transferring information outside the UK

The Charity may transfer only the information you provide to us to countries outside the European Economic Area ('EEA') for the purposes of providing you with work-finding services. We will take steps to ensure adequate protections are in place to ensure the security of your information. The EEA comprises the EU member states plus Norway, Iceland and Liechtenstein.

## How long we keep your personal information

The Charity will retain your personal data only for as long as is necessary. Different laws require us to keep different data for different periods of time.

To comply with certain regulations and for auditing purposes, the NAS will be required to keep your Funding Authority information for a minimum of five years per Award Letter, your contact information will be erased on completion of your academic course.

Where the Charity has obtained your consent to process your personal and sensitive personal data, we will do so in line with our Retention Policy. Upon expiry of that period the Charity will seek further consent from you. Where consent is not granted the Charity will cease to process your personal data and sensitive personal data unless otherwise authorised to do so.

If you would like more information about how long we will keep your information for, please email us at [dataprotection@nas.org.uk](mailto:dataprotection@nas.org.uk).

## Your Rights

You have the right to access your information and to ask us to correct any mistakes and delete and restrict the use of your information. You also have the right to object to us using your information, to ask us to transfer information you have provided, to withdraw permission you have given us to use your information and to ask us not to use automated decision-making which will affect you. For more information, see below.

- **Right of access:** you have the right to make a request for details of your personal information and a copy of that personal information.
- **Right to rectification:** you have the right to have inaccurate information about you corrected or removed.
- **Right to erasure ('right to be forgotten'):** you have the right to have certain personal information about you deleted from our records.
- **Right to restriction of processing:** you have the right to ask us to use your personal information for restricted purposes only

- **Right to object:** you have the right to object to us processing (including profiling) your personal information in cases where our processing is based on a task carried out in the public interest or where we have let you know it is necessary to process your information for our or a third party's legitimate interest. You can object to us using your information for direct marketing and profiling purposes in relation to direct marketing.
- **Right to data portability:** you have the right to ask us to transfer the personal information you have given us to you or to someone else in a format that can be read by computer.
- **Right to withdraw consent:** you have the right to withdraw any permission you have given us to handle your personal information. If you withdraw your permission, this will not affect the lawfulness of how we used your personal information before you withdrew permission, and we will let you know if we will no longer be able to provide you with your chosen product or service.
- **Right in relation to automated decisions:** you have the right not to have a decision which produces legal effects which concern you or which have a significant effect on you based only on automated processing, unless this is necessary for entering into a contract with you, it is authorised by law or you have given your permission for this. We will let you know if we make automated decisions, our legal reasons for doing this and the rights you have.

Please note: other than your right to object to us using your information for direct marketing (and profiling for the purposes of direct marketing), your rights are not absolute. This means they do not always apply in all cases, and we will let you know in our correspondence with you how we will be able to meet your request relating to your rights.

If you make a request, we will ask you to confirm your identity if we need to, and to provide information that helps us to understand your request better. We have 21 days to respond to requests relating to automated decisions. For all other requests we have one month from receiving your request to tell you what action we have taken.

In order to exercise your rights, please email us at [dataprotection@nas.org.uk](mailto:dataprotection@nas.org.uk).

## How to Complain

You can always make a complaint if you are unhappy with the way we have used your data by contacting us at [Your.Views@nas.org.uk](mailto:Your.Views@nas.org.uk).

You can also complain to the ICO if you are either unhappy with how we responded to your complaint or with how we have used your data.

### The ICO's address:

Information Commissioner's Office  
Wycliffe House



Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Helpline number: [0303 123 1113](tel:03031231113)

## Annex A

1. The lawfulness of *processing* conditions for *personal data* are:
  - 1.1. *Consent* of the individual for one or more specific purposes.
  - 1.2. *Processing* is necessary for the performance of a contract with the individual or in order to take steps at the request of the individual to enter into a contract.
  - 1.3. *Processing* is necessary for compliance with a legal obligation that the controller is subject to.
  - 1.4. *Processing* is necessary to protect the vital interests of the individual or another person.
  - 1.5. *Processing* is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the *data controller*.
  - 1.6. *Processing* is necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of the individual which require protection of *personal data*, in particular where the individual is a child.
2. The lawfulness of *processing* conditions for *sensitive personal data* are:
  - 2.1. Explicit *consent* of the individual for one or more specified purposes, unless reliance on *consent* is prohibited by EU or Member State law.
  - 2.2. *Processing* is necessary for carrying out data controller's obligations under employment, social security or social protection law, or a collective agreement, providing for appropriate safeguards for the fundamental rights and interests of the individual.
  - 2.3. *Processing* is necessary to protect the vital interests of the individual or another individual where the individual is physically or legally incapable of giving *consent*.
  - 2.4. In the course of its legitimate activities, *processing* is carried out with appropriate safeguards by a foundation, association or any other not-for-profit body, with a political, philosophical, religious or trade union aim and on condition that the *processing* relates only to members or former members (or those who have regular contact with it in connection with those purposes) and provided there is no disclosure to a third party without the *consent* of the individual.
  - 2.5. *Processing* relates to personal data which are manifestly made public by the individual.
  - 2.6. *Processing* is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.
  - 2.7. *Processing* is necessary for reasons of substantial public interest on the basis of EU or Member State law which shall be proportionate to the aim pursued, respects the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interests of the individual.
  - 2.8. *Processing* is necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical

diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of EU or Member State law or a contract with a health professional and subject to the necessary conditions and safeguards.

- 2.9. *Processing* is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of healthcare and of medicinal products or medical devices, on the basis of EU or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the individual, in particular professional secrecy.
- 2.10. *Processing* is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard fundamental rights and interests of the individual.

### **Changes to this privacy notice**

We reserve the right to amend this privacy notice so please do check back from time to time. If we do so, we will post notice of the change on our website and make every effort to inform you of any material changes to the notice.