



# **St Mary's Academy Trust**

## **Privacy Notice for Parents/Carers**

## **PRIVACY NOTICE FOR PARENTS/CARERS**

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them.

Personal data about a child belongs to that child however children below the age of 12 are generally not regarded to be mature enough to understand their rights and we will therefore communicate information to you as the parent/carer. However a pupil's ability to understand their rights will always be judged on a case by case basis.

We comply with this right to be informed by providing "privacy notices" (sometimes called "fair processing notices") to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about pupils.

St Mary's Academy Trust are the "Data Controller" for the purposes of data protection law. Our Data Protection Officer is Jo Hudson, see "contact us" below.

### **Personal Data we hold about you as the Parent/Carer**

Personal data that we may collect, use, store and share (when appropriate) about you as the Parent/Carer includes, but is not restricted to:-

- Contact details – name, telephone number, home address and e-mail address
- Details of your doctor
- Date of Birth
- CCTV images captured in school

### **Personal Data we hold about your child**

Personal data that we may collect, use, store and share (when appropriate) about your child, but is not restricted to:-

- Contact details
- Details of their doctor
- contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and Curricular records
- Characteristics such as ethnic background, eligibility for free school meals or special education needs
- Exclusion information
- Details of any medical condition including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

### **Why we use this data**

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing
- Claiming funding and other entitlements

### **Our Legal Basis for using this data**

We only collect and use pupils' personal data when the law allows us to. Most commonly we process it where:-

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained your consent to use pupils' personal data this consent can be withdrawn by you at any time. You can withdraw your consent in writing to the Headteacher. This will include for example – consent for photographs to be taken/displayed and how medical information is displayed.

Some of the reasons listed above for collecting and using pupils' personal data overlap and there may be several grounds which justify our use of this data.

### **Collecting this information**

While the majority of information we collect about pupils is compulsory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is compulsory or optional. If it is compulsory we will explain the possible consequences of not complying.

### **How we store this data**

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our retention schedule sets how we keep information about pupils.

The retention schedule is on the Trust's website.

### **Data Sharing**

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:-

- Our Local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns, exclusions, results data, school trips
- The Department For Education
- Educators and examining bodies
- Ofsted - as part of their mandatory inspections
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Central and local government
- Our Auditors
- Health Authorities
- Security Organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Police force, courts, tribunals
- Professional bodies
- Governors/Trustees

### **National Pupil Database**

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the National Pupil Databases (NPD) which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information see the Departments webpage on how it collects and shares research data. You can also contact the Department Education with any further questions about the NPD.

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

### **Parents and pupils' rights regarding personal data**

Individuals have a right to make a "subject access request" to gain access to personal information that the school holds about them.

Parents/Carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12) or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request and if we do hold information about you or your child, we will:-

- Give you a description of the information
- Tell you why we are holding and processing the information and how long we will keep it for
- Explain where we got the information from, if not from you or your child
- Tell you who it has been or will be shared with
- Let you know whether any automated decision-making is being applied to the data and any consequences of this
- Give you a copy of the information in an understandable format

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our Data Protection Officer – Jo Hudson on 01226 282721 who will oversee the collation of this information by the school.

As a multi academy trust there is no automatic parental right of access to the education records we hold however as a Trust we will consider requests received and respond in a timely manner. We will only provide information to a parent about their child and not any comparison information against other pupils. If the information required is excessive we will reserve the right to implement a charge. You will need to make the request to your child's headteacher.

### **Other Rights**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe including the right to:-

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine rather than by a person)
- Have inaccurate personal data corrected, deleted or destroyed and in certain circumstances restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer, Jo Hudson on 01226 282721

### **Complaints**

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer, Jo Hudson – 01226 282721. Alternatively you can make a complaint to the Information Commissioner's Office as follows:-

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer, Jo Hudson – 01226 282721.