



ST. MARY'S  
ACADEMY TRUST

# **St Mary's Academy Trust**

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

**Last Updated:** January 2021

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

### **1. Scope**

- 1.1 Under data protection law, individuals have a right to be informed about how the Trust uses any personal data that we hold about them. We comply with this right by providing privacy notices to individuals where we are processing their personal data. This privacy notice explains how we collect and use personal data about you as the parent/carer and your child, in line with the requirements of UK GDPR (United Kingdom General Data Protection Regulation).
- 1.2 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.

### **2. Responsibilities**

- 2.1 The Trust's Data Protection Officer is responsible for ensuring that this notice is made available to data subjects prior to St Mary's Academy Trust and its schools collecting and processing their personal data.
- 2.2 St Mary's Academy Trust and its schools who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject's attention and where necessary their consent to the processing of their data is secured.
- 2.3 The personal data collected is essential, in order for the Trust and its schools to fulfil its official functions and meet legal requirements.

### **3. Key Contact**

- 3.1 **Data Protection Officer:** Jo Hudson
- 3.2 **Email:** J.Hudson@smat.org.uk
- 3.3 **Telephone:** 01226 282721

### **4. Personal Data We Hold About You as the Parent/Carer**

- 4.1 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
  - Identity and marital status
  - Information about court orders in place affecting parenting arrangements for pupils

## **5. Personal Data We Hold about your Child**

5.1 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

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

## **6. Why We Use this Data**

6.1 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

## **7. Data Sharing**

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

7.2 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, this includes providers of computer packages e.g. Marvellous Me and Rockstar Maths
- 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
- Common Transfer Files – forwarding to Secondary at transition or other Primary where a child moves to
- Our insurance providers

## **8. National Pupil Database**

- 8.1 We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census.
- 8.2 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.
- 8.3 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.
- 8.4 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.
- 8.5 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.

## 9. Transferring Data Internationally

- 9.1 A small number of data processors used by the Trust and its schools are based outside the UK and so their processing of your personal data will involve a transfer of data outside the UK. These processors are predominantly applications and information systems used by the schools to further pupil's learning. Some UK based processors may also use sub-processors (such as cloud service providers) which are located outside of the UK.
- 9.2 Whenever we transfer your personal data out of the UK, the Trust will ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:
- A)** We will transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission or Secretary of State.
  - B)** Where we use certain service providers who are outside of the adequacy regime, we will use standard data protection clauses approved by the Secretary of State which give personal data the same protection it has in UK.

## 10. Our Legal Basis for Using This Data

- 10.1 We only collect and use your personal data when the law allows us to. Most commonly we process it where we need to:
- Fulfil a contractual obligation
  - Comply with a legal obligation
  - Carry out a task in the public interest
- 10.2 Less commonly we may also process your personal data in situations where:
- You have given us consent to use it in a certain way
  - We need to protect your vital interests (or someone else's interests)
  - To pursue a legitimate interest
- 10.3 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.
- 10.4 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.

## **11. Collecting this Information**

- 11.1 While the majority of information we collect about pupils is compulsory, there is some information that can be provided voluntarily.
- 11.2 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.

## **12. How We Store this Data**

- 12.1 A significant amount of personal data is stored electronically, for example, on our database, SIMS. Some information may also be stored in hard copy format.
- 12.2 We retain personal information about pupils while they are attending our school. We may also retain it beyond their attendance at our school if necessary in order to comply with our legal obligations. Our retention schedule sets how we keep information about pupils.
- 12.3 The retention schedule is on the Trust's website.

## **13. Parents and Pupils' Rights Regarding Personal Data**

- 13.1 Individuals have a right to make a "subject access request" to gain access to personal information that the school holds about them.
- 13.2 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.
- 13.3 Parents also have the right to make a subject access request with respect to any personal data the school holds about them.
- 13.4 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
- 13.5 We have a separate Subject Access Request policy which provides more detailed information of how to make a request, please ask for a copy from the school office.

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

13.7 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.

13.8 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.

#### **14. Other Rights**

14.1 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
- Withdraw consent for specific processing at any time unless we have a legitimate basis for doing so in law

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

#### **15. Complaints**

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

15.2 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.

15.3 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