

GDPR Privacy notice - Students and Parents

Reviewer:	Sarah Stowey
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1 Who are we?

Caroline Chisolm School is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Caroline Chisolm School is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: Z284205X.

You can contact the Academy Trust as the Data Controller in writing at:

The Wooldale Centre for Learning
Wootton Fields
Northampton
NN4 6TP
England

2 What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our students and parents.

3 What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

- 'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

4 What personal information do we process about students and parents?

The student and parent information that we collect, hold and share includes:

- Personal information including a student's name, date of birth, unique student number and home address.
- Characteristics such as ethnicity, language, and free school meal eligibility
- Attendance information such as sessions attended, number of absences and absence reasons.
- Educational information including records of work, assessment results, relevant medical information, details of students' special educational needs, exclusions/behavioural information, post-16 learning information.
- Contact information for parents, carers and other relatives, including telephone numbers, home addresses and e-mail addresses.
- Information about a child's home life, where required as part of necessary safeguarding and welfare processes.
- Details of any support received, including care packages, plans, and support providers.
We may also collect, use, store and share (when appropriate) information about your child that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:
- Any medical conditions we need to be aware of, including physical and mental health

- Photographs and CCTV images captured in school
- Characteristics, such as ethnic background or special educational needs

5 Why do we use personal information?

We use student data:

- to support student learning
- to monitor and report on student progress.
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard students
- to share medical information with health professionals
- administer admissions waiting lists
- Carry out research

5.1 Use of yours or your child's personal data for marketing purposes

Where you have given us consent to do so, we may send you or your child marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to them.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by contacting us (see 'Contact us' below).

5.2 Use of your child's personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

6 Collecting student information

Whilst the majority of student information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain student information to us or if you have a choice in this.

Most of the data we collect in relation to parents and students will come direct from the parent or student. However, we may also hold data relating to you and/or your child that has come from:

- Local authorities
- Government departments or agencies
- Police force, courts, tribunals
- External support services

7 What are the legal reasons for us to process your personal information?

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

To comply with the law

- We collect and use general purpose student information in order to meet certain legal requirements and legal obligations placed upon the Academy Trust by law. We therefore are required to this process personal information for such purposes even if you have not consented to us doing so.
- Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.
- If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the Academy Trust in writing.

To protect someone's vital interests

- We are able to process personal information when there is an emergency and/or where a person's life is in danger.
- Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

With the consent of the individual to whom that information 'belongs'

- Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.
- Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

To perform a public task

- It is a day-to-day function of the Academy Trust to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that students are properly educated and supported
- Please be aware that an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting the academy trust to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, the academy trust will consider the reasons for the objection and balance this against the legitimate grounds to process data.
- Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

We have a legitimate interest

- Occasionally we have reasons to process information which fall outside of our usual day-to-day school functions. Details of the type of processing that we may undertake on this basis are set out in Table 1.
- Please be aware that an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting the academy trust to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, the academy trust will consider the reasons for the objection and balance this against the legitimate grounds to process data.

8 Special category personal information

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- Explicit consent of the data subject
- Processing relates to personal data which is manifestly made public by the data subject
- Necessary for establishing, exercising, or defending legal claims
- Necessary for reasons of substantial public interest
- Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of special category personal information data that we process is set out in the tables attached.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your child's life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

9 Who might we share your information with?

We routinely share student information with:

- schools that the students attend after leaving us
- our local authority
- the Department for Education (DfE)
- Educators and examining bodies.
- Our auditors
- NHS
- Public Health and other public health agencies
- Information Management software and linked systems including SIMS, Groupcall Xporter, Wonde

We do not share information about our students or parents unless the law and our policies allow us to do so.

Once our students reach the age of 13, we also pass student information to our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13–19-year-olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- youth support services
- careers advisers

A parent / guardian can request that *only* their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / student once he/she reaches the age 16.

We will also share certain information about students aged 16+ with our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13–19-year-olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- post-16 education and training providers
- youth support services
- careers advisers

We are also required, by law, to pass certain information about students to specified external bodies, such as our local authority and the Department for Education, so that they are able to meet their statutory obligations.

10 The National Student Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about students in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our students to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to [Find and explore data in the National Pupil Database - Find and explore data in the National Pupil Database - GOV.UK](#)

The department may share information about our students from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to student information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided student information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-studentdatabase-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

1 1 Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collectionand-censuses-for-schools>.

1 2 What do we do with your information?

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. The Academy Trust monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

We have security measures in place to prevent yours and your child's information from being accidentally lost, used, or accessed in an authorised way, altered, or disclosed.

1 3 How long do we keep your information for?

In retaining personal information, the Academy Trust complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the Academy Trust are required to retain the information.

A copy of those schedules can be located using the following link: <http://irms.org.uk/page/SchoolsToolkit>

1 4 Transferring data internationally

Where we transfer personal data to outside of the UK, we will do so in accordance with data protection law.

1 5 What are your rights with respect of your personal information?

Under data protection law, parents and students have the right to request access to information about them that we hold. To make a request for your personal information, or to have access to your child's educational record contact the school or the School Data Protection Officer at Warwickshire Legal Services via email at schooldpo@warwickshire.gov.uk or alternatively.

School Data Protection Officer
Warwickshire Legal Services
Warwickshire County Council
Shire Hall
Warwick
CV34 4RL

***Please ensure you specify which school your request relates to.*

Where the academy trust process data for the purposes of legitimate interests or to fulfil their public task, individuals have a right to object to the processing where it is likely to cause, or is causing, harm or distress. When exercising this right, individuals should contact the academy trust to inform them of their reasons for their objection. The academy trust will consider the reasons for any objection and assess the risk to the individual

against the purposes for the processing. In the event the academy trust is unable to comply with an objection, we will ensure we can demonstrate compelling legitimate grounds to continue with the processing.

You also have the right to:

- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

Where the academy trust processes your information with your consent, you have the right to withdraw your consent at any time. To exercise this right, please contact the academy trust at Caroline Chisholm School, Wooldale Centre for Learning, Wooldale Road, Wootton, Northampton.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner’s Office at <https://ico.org.uk/concerns/>

16 Review

The content of this Privacy Notice will be reviewed annually.

Table 1 – Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Special Category– additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Special Education Needs Report	Children’s and Families Act 2014, section 69		Local Authority	Legal Obligation
Attendance register	Education (Student Registration) (England) Regulations 2006, Regulation 4, 10, 11 and 12		OFSTED, Local Authority	Legal Obligation
Common Transfer file	Education (Student Registration) (England) Regulations 2005, Regulation 6		School student transfers to	Legal Obligation
Safeguarding information	Education Act 2002, section 175 Children’s Act 1989, Section 17, 47, 83. Children’s Act 2004, Section 11		Local Authority	Legal Obligation
Admissions Register	Education (Student Registration) (England) Regulations 2006,		OFSTED, Local Authority	Legal Obligation

Information Type	Relevant legislation	Special Category– additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
	Regulation 4, 10, 11, 14 and 15			
Curricular Record including Assessment and achievement data	Education (Student Information) (England) Regulations 2005, Regulation 4		OFSTED, Local School. Local Authority	Legal Obligation
Educational Record	Education (Student Information) (England) Regulations 2005, Regulation 5 and 6		Parents, Local school	Legal Obligation
Student Information i.e name, age address, Emergency contact details	Education (Information About Individual Students) (England) Regulations 2013, Regulation 3 and 5		Department of Education – school census. Other schools – when students transfers	Legal Obligation
Medical / Dietary / allergies		Necessary for preventative or occupational medicine	Department of Education – school census. Other schools – when students transfers	Legal Obligation
School Census	Education Act 1996, Sections 537 & 537A, and accompanying regulations		Department of Education	Legal Obligation
Staff information, including personal details, DBS check, qualifications	Education Act 2005, section 114		Secretary of State, Warwickshire County Council, Disclosure and Barring Service	Legal Obligation

Table 2 - Personal information we are required to process as it is necessary to protect someone's vital interests.

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Medical Information	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent'	Medical staff i.e., paramedics/ambulance	Vital Interest
Religious belief	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent'	Medical staff i.e., paramedics/ambulance	Vital Interest

Table 3 - Personal information we are required to process with the consent of the individual to whom that information 'belongs'.

please note that you have the right to withdraw your consent for us to process this information at any time.

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Photographs		Government agencies, e.g., Department for Education,	Consent
Email address		Not shared	

Table 4 - Personal information we are required to process because it is necessary to do so in order to perform a public task.

Please note that the right to object will apply to *some* of this processing, please see the section above that refers to '*What are your rights with respect of your personal information*'

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Student Information i.e., name, age address, Parent detail, Emergency contact details		Department of Education – school census. Other schools – when students transfers	Legal Obligation
Academic Progress data including Leaving data, welcome data. Learning journals, staff observations		OFSTED, Parents, Health such as Speech and Language	Public Task & Legal Obligation
Safeguarding information, Medical, Special Education Needs		Local Authority, Health, Parents	Legal Obligation
Educational and Safeguarding Information used internally for the purpose of educating and protecting the welfare of children.			

Table 5 - Personal information we process because we have a legitimate interest.

Please note that the right to object will apply to *some* of this processing, please see the section above that refers to '*What are your rights with respect of your personal information?*'

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Images captured on our CCTV system	n/a	This is not shared routinely	n/a