



# Privacy Notice for Parents and Carers – use of your child’s personal data

## Contents

1. Introduction.....	2
2. The personal data we hold.....	2
3. Why we use this data.....	3
4. Our lawful basis for using this data .....	3
5. Collecting this data.....	4
6. How we store this data.....	5
7. Who we share data with.....	5
8. How to access personal information we hold about your child. ....	6
9. Your other rights regarding your child’s data.....	6
10. Contact Us.....	7
11. Complaints.....	7

## Document Control

**Document Author:** The Chief Financial and Operating Officer (CFOO)

Updated	By	Approved By	Approved Date
March 2021	CFOO	Trust Executive	March 2021

## 1. Introduction

Under data protection law, individuals have a right to be informed about how Admiral Lord Nelson School, Trafalgar School and the Salterns Academy Trust use any personal data that we hold about them. We comply with this right 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 **students at our school**. This privacy notice applies while we believe your child is not capable of understanding and exercising their own data protection rights.

Once your child can understand their rights over their own data (generally considered to be age 12, but this must be considered on a case-by-case basis), you should instead refer to our privacy notice for students to see what rights they have over their own personal data. Privacy Notices can be found on the school's website.

The Salterns Academy Trust, Portsmouth is the 'data controller' for the purposes of data protection law. The Trust has two schools – Admiral Lord Nelson School and Trafalgar School.

The Trust's Data Protection Officer is the Chief Financial and Operating Officer (see 'Contact us' below).

## 2. The personal data we hold

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

- Contact details, contact preferences, date of birth, identification documents.
- Student personal information – names, date of birth, gender, contact telephone numbers, addresses, next of kin, pupil identification number, unique candidate identifier (UCI), unique learner number (ULN), care arrangements, court orders.
- Student Free school meal eligibility
- Results of internal assessments and externally set tests.
- Pupil and curricular records
- Exclusion information
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers.

We may 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

We may also hold data about your child that we have received from other organisations, including other schools and social services.

### **3. Why we use this data.**

We use the data listed above to:

- Support student learning
- Monitor and report on student progress.
- Provide appropriate pastoral care
- Safeguard the individuals on our premises
- Assess the quality of our service
- Maintain school information required by law.

#### **3.1 Use of your child's personal data for marketing purposes**

Where you have given us consent to do so, we may send your child marketing information by email or text promoting School/Trust 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).

#### **3.2 Use of your 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 to explain the processing to you, including your right to object to it.

### **4. Our lawful 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.

Sometimes, 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 you have provided us with consent to use your child's data, you may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you can withdraw consent if you wish to do so.

#### **4.1 Our basis for using special category data.**

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your child's personal data in a certain way.
- We need to perform or exercise an obligation or right in relation to employment, social security, or social protection law.
- 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 are physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by you.
- We need to process it for the establishment, exercise or defence of legal claims.
- We need to process it for reasons of substantial public interest as defined in legislation.
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law.
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest.

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 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 are 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.

#### **5. Collecting this data**

While most of the information we collect about your child is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about your child will come from you, but we may also hold data about your child from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

## **6. How we store this data.**

We keep personal information about your child while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary. Our Records Management Policy sets out how long we keep information about students.

We have put in place appropriate security measures to prevent your child's personal information from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed.

We will dispose of your child's personal data securely when we no longer need it.

## **7. Who we share data with**

We do not share information about your child 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 information about your child with:

- Portsmouth City Council – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions.
- Government departments or agencies
- Our youth support services provider.
- Ofsted
- Suppliers and service providers, such as the school meals caterer
- Financial organisations
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

## **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 Database (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 third parties, such as other organisations which promote children's education or wellbeing in England. These third parties must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on how it collects and shares research data.

You can also contact the Department for Education with any further questions about the NPD.

## **8. How to access personal information we hold about your child.**

You have a right to make a 'subject access request' to gain access to personal information that we hold about your child.

If you make a subject access request, and if we do hold information about your child, we will (subject to any exemptions that apply):

- Give you a description of it.
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- 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 intelligible form.

You may also have the right for your child's personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

Once your child can understand their rights over their own data (generally considered to be age 12, but this must be considered on a case-by-case basis), we will need to obtain consent from your child for you to make a subject access request on their behalf.

### **Your right to access your child's educational record.**

Parents, or those with parental responsibility, may request access to their child's educational record (which includes most information about a pupil). There is no automatic parental right of access.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

If you would like to make a request, please contact us (see 'Contact us' below).

Once your child can understand their rights over their own data (generally considered to be age 12, but this must be considered on a case-by-case basis), we will need to obtain consent from your child for you to make an access request on their behalf.

## **9. Your other rights regarding your child's data**

Under data protection law, you have certain rights regarding how your child's personal data is used and kept safe. For example, you have the right to:

- Object to our use of your child's personal data
- Prevent your child's data being used to send direct marketing.
- Object to and challenge the use of your child's personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected.
- In certain circumstances, have the personal data we hold about your child deleted or destroyed, or restrict its processing.
- In certain circumstances, be notified of a data breach.
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights, please contact us (see 'Contact us' below).

Once your child can understand their rights over their own data (generally considered to be age 12, but this must be considered on a case-by-case basis), we will need to obtain consent from your child for you to make these requests on their behalf.

## 10. 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:

Caroline Corcoran (Chief Financial and Operating Officer, Salterns Academy Trust)

Salterns Academy Trust, c/o Admiral Lord Nelson School, Dundas Lane, Portsmouth, PO3 5XT

Email [ccorcoran@salternstrust.co.uk](mailto:ccorcoran@salternstrust.co.uk)

## 11. 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.

Alternatively, you can make a complaint to the Information Commissioner's Office:

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