



Privacy notice for parents/carers – use of your child's personal data

For public viewing

Link to other policies and documents:

- Data Protection Policy
- Data Security Policy
- Data Retention Policy
- Information and Records Management Society's: Toolkit for Schools.
- CCTV Policy
- Subject Access Request Policy and Procedure



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Privacy notice for parents/carers – use of your child’s personal data

Under data protection law, individuals have a right to be informed about how the school uses 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 and why we collect, store and use personal data about students.

We, St Wilfrid’s Church of England Academy, Duckworth Street, Blackburn BB2 2JR are the ‘data controller’ for the purposes of data protection law.

The Academy is registered as a data controller with the Information Commissioners Office (ICO). Our registration number is Z3050817.

Our data protection officer is The Schools People (see ‘Contact us’ below).

The personal data we hold

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

- Personal Identifiers (such as name, unique pupil number, contact details, contact preferences, date of birth, identification documents)
- Results of internal assessments and externally set tests
- Student and curricular records
- Characteristics, such as language, eligibility for free school meals and Pupil Premium
- Special characteristics including racial or ethnic origin, religious or philosophical beliefs and health
- Special educational needs information including the needs and ranking
- Details of any support received, including care packages, plans and support providers
- Behavioural information including exclusions and detentions
- Medical information including details of any medical conditions, including physical and mental health, GP contact details, allergies, medication and dietary requirements
- Attendance information (such as session attendance, number of absences, absence reasons and details of any previous schools attended)
- Safeguarding information (such as court orders and professional involvement)
- Photographs
- CCTV images captured in school
- Any other student personal data that we will inform you of from time to time.

We may also hold data about students 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 student learning
- Monitor and report on student progress
- Provide appropriate pastoral care
- Protect student welfare

- Assess the quality of our services
- Keep students safe
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing
- Carry out our legal obligations as a school
- Meet statutory duties placed upon us for DfE data collections

Our lawful basis for using this data

We only collect and use students' personal data when the law allows us to. Most commonly, we process general category personal data where:

- We have the consent of the data subject or a person with the lawful authority to exercise consent on the data subject's behalf (Article 6 (1)(a) of the GDPR)
- We need to comply with a legal obligation (Article 6(1)(c) of the GDPR)
- We need it to perform an official task in the public interest (Article 6(1)(e) of the GDPR)

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

- We need to protect the individual's vital interests or someone else's interests (Article 6(1)(d) of the GDPR)
- We have obtained it as part of fulfilling a contract with you (Article 6(1)(b) of the GDPR)

We process students' special category data where:

- We have the consent of the data subject or a person with the lawful authority to exercise consent on the data subject's behalf (Article 9 (2)(a) of the GDPR)
- We need to protect the individual's vital interests or someone else's interests (Article 9(2)(c) of the GDPR)
- Processing relates to personal data which are manifestly made public by the data subject (Article 9(2)(e) of the GDPR)
- It is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity (Article 9(2)(f) of the GDPR)
- It is necessary for reasons of substantial public interest (Article 9(2)(g) of the GDPR)
- It is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes (Article 9(2)(j) of the GDPR)

Where we rely solely on consent to use students' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.

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

Collecting this information

We collect student personal data from:

- Application/admissions processes;
- Common Transfer files;

- Assessment and attainment processes;
- Attendance (routine register twice a day)
- Special Educational Needs and Disabilities (SEND) information
- Parent Communications; Parental Access Window, Parentpay, Data Collection Form
- In addition, the School also uses CCTV cameras in and around the school site for security purposes and for the protection of staff, students and other stakeholders.

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

While the majority of information we collect about students is mandatory, 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 mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

Where appropriate, we will ask parents for consent to process personal data where there is no other lawful basis for processing it. For example, where we wish to use photos or images of students on our website to promote school activities, or if we want to ask your permission to use your information for marketing purposes. Parents / students may withdraw consent at any time.

How we manage, access and store personal data

We keep personal information about students 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 or is considered to be in the public interest.

A significant amount of personal data is stored electronically; other data may be stored as hard copy.

Data is stored and accessed in accordance with the School's **Data Security Policy**.

Records are managed in accordance with the **Information and Records Management Society's: Toolkit for Schools**.

We will only retain personal information for as long as necessary to fulfil the purposes we collected it for, in accordance with the **Information and Records Management Society's: Toolkit for Schools**.

Data sharing

We do not share information about students 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 students with:

- Our local authority (Blackburn with Darwen Borough Council) – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions and to fulfil our public interest tasks such as provision of free school meals
- A student's home Local Authority (if different)
- The Department for Education – to meet our legal obligations eg to report on student progress

- The student’s family and representatives – to carry out our public interest tasks as a school such as reporting on student progress or being a contact if a student is ill
- Educators and examining bodies – to carry out our public interest tasks as a school in relation to examinations
- Our regulator Ofsted which monitors many aspects of our public interest tasks as a school
- Financial organisations – to carry out public interest tasks requiring the taking or making of payments such as 16-19 bursaries
- Central and local government – to meet our legal obligations and carry out activities in the public, such as providing education to children in care outside Blackburn with Darwen
- Our auditors – to meet our legal and public interest obligations relating to financial matters
- Survey and research organisations – to help us carry out our public interest tasks as a school
- Health authorities – to carry out our public interest tasks as a school and safeguard the vital interests of students
- Security organisations – for our public interest tasks in relation to keeping students safe, keeping the site secure and preventing crime
- Health and social welfare organisations – where this is covered by our public interest tasks as a school or safeguards the vital interests of students
- Professional advisers and consultants – to help us carry out our public interest tasks as a school, such as providing careers advice
- Charities and voluntary organisations – which may, for example, provide us with services or support the school’s educational activities carried out in the public interest
- Police forces, courts, tribunals – where this necessary for the prevention and detection of crime, required by law or for purposes arising out of our public interest tasks such as safeguarding students
- Professional bodies – to help us carry out our public interest tasks as a school

Suppliers and third-party service providers

We share limited personal data with suppliers and third-party service providers. These service providers include:

- Parentpay (to facilitate cashless payments to the Academy for goods and services, such as school lunches)
- Firefly (software to assist teachers and students to access school information online and out of the classroom)
- Schoolcomms (messaging system)
- SIMS (management information system)
- Any other services/service providers that we will inform you of from time to time.

We share limited personal data with these service providers who require access to student data in order to perform contracted services. These third-party service providers act as data processors on the Schools behalf.

Service providers are contracted to apply the same level of protection for personal data as the School, and in accordance with the GDPR and the Data Protection Act 2018. We authorise service providers to use personal data only as necessary to perform services on our behalf, or to comply with legal obligations if necessary.

National Pupil Database

We are required to provide information about students 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 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 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.

Youth Support Services

Once our students reach the age of 13, we are legally required to pass on certain information about them to our youth support services provider(s), as there are legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

Parents/carers, or students once aged 16 or over, can contact our data protection officer to request that we only pass the individual's name, address and date of birth to our youth support services provider(s).

Transferring data internationally

We do not routinely share data with organisations outside the EEA.

We will not transfer personal data outside the EEA unless such transfer complies with the GDPR. This means that we cannot transfer any personal data outside the EEA unless:

- The EU Commission has decided that the receiving country or international organisation ensures an adequate level of protection for personal data
- One of the derogations in the GDPR applies (including if an individual explicitly consents to the proposed transfer).

Parent and student rights regarding personal data

Under data protection legislation, students have the right to request access to information about them that we hold. Personal data belongs to the data subject, and in the case of the personal data of a child regardless of their age, the rights in relation to that personal data are theirs and not those of their parents. Parents, in most cases, do not have automatic rights to the personal data of their child.

However, there are circumstances where a parent can request the personal data of their child without requiring the consent of the child. This will depend on the maturity of the child and whether the School is confident that the child can understand their rights. Generally, in the UK, where a child is under 13 years of age, they are deemed not to be sufficiently mature as to understand their rights of access and a parent may request access to their personal data on their behalf. The School will then determine, whether, in their opinion, the student is mature enough to understand their rights and act accordingly.

In relation to a child 13 years of age or older, then provided that the School is confident that they understand their rights, and there is no reason to believe that the child does not have the capacity to make a request on their own behalf, the School will require the written authorisation of the child before responding to the parent/carer requester, or they will provide the personal data directly to the child. The child may then decide if they wish the parent/carer to have access to the data.

If a student would like to make a SAR in relation to their own personal data, or if a parent/carer wishes to make a request on the student's behalf, it would be helpful, though not mandatory, if this could be made in writing to the Principal. A Subject Access Request form and guidance notes may be downloaded from the website or requested from the School office to assist with the process.

To begin actioning a SAR, at the very minimum we require the following information:

- student name and contact address
- email address and telephone number (if relevant)
- details and date range of the information required.
- Parent/carer details if the SAR is being made on behalf of the student.

We must respond within one month of receiving a **valid** Subject Access Request.

A SAR is only considered "valid" if we are fully satisfied regarding the identity of the requester and their entitlement to the data requested. If in any doubt we will request confirmation of identity to ensure personal data is not inadvertently released to a third-party who is not entitled to it.

If the SAR is complex or numerous the period in which we must respond can be extended by a further two months. You will be notified of any delays in actioning the SAR and provided with a timeframe in which you can expect to receive the requested data.

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

- 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 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 intelligible form
- 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 subject access request, please contact the School in the first instance.

Other data protection 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
- Withdraw consent to processing where consent is the only lawful basis for the processing
- 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)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Challenge processing which has been justified on the basis of public interest
- Request copies of agreements under which personal data is transferred outside the EEA
- Be notified of Data Breached in certain circumstances
- Ask for their personal data to be transferred to a third-party in a structured, commonly used and machine-readable format (in certain circumstances)
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact the school in the first instance.

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.

If you have any concerns that we are not able to resolve to your satisfaction you can contact our Data Protection Officer at the address below

Alternatively, you can register your concern with the UK's data protection regulator - the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/>
- Call 0303 123 1113
- Or 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**:

Dee Whitmore

Email: DPOService@schoolspeople.co.uk

Tel: 01773 851078

Address: 44 Tyndall Court
Peterborough
PE2 6LR

Changes to this Privacy Notice

This Notice will be reviewed on a yearly basis or as necessary in relation to changes in Data Protection legislation.

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates.

We may also notify you in other ways from time to time about the processing of your personal information.

Effective Date: May 2018

Last update: May 2019

Review Date: May 2020