

## **PRIVACY NOTICE FOR PARENTS AND CARERS**

### **Who Processes your Information?**

Trust in Learning (Academies) is the data controller of the personal information you provide to Filton Avenue Primary School.

This means the Trust and the school determines the purpose for which, and the manner in which, any personal data relating to pupils and their families is to be processed.

In some cases, your data will be outsourced to a third party processor; however this will only be done with your consent, unless the law requires the school to share your data. Where the Trust and the school outsources data to a third party processor, the same data protection standards that Trust in Learning (Academies) uphold will be imposed on the processor.

Under data protection law, individuals have a right to be informed about how the Trust and 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 we collect, store and use personal data about **pupils**.

Our Data Protection Officer is Clare Anderson (see 'Contact us' below).

### **Why do we collect and use pupil information?**

Trust in Learning (Academies) and Filton Avenue Primary School holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE (Department for Education). We collect and use personal data in order to meet legal requirements and legitimate interests set out in the General Data Protection Regulations and UK law including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of the Education (Information About Individual Pupils) (England) Regulations 2013

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:-

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To safeguard pupils and protect their welfare
- To assess the quality of our services
- To administer admissions waiting lists
- To carry out research
- To comply with the law regarding data sharing

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

- Contact details, 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 educational needs
- Exclusion / behavioural information
- Details of any medical conditions, including physical and mental health
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

### **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 consent to use pupils' 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 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 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.

### **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. TiLA Record and Retention Schedule/Records Management Policy sets out how long we keep information about pupils.

*A copy can be found here <http://www.tilacademies.co.uk>*

## **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 and exclusions
- The Department for Education
- The pupil's family and representatives
- Educators and examining bodies
- Schools that pupils attend after leaving us
- Our regulator Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Health authorities
- 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 and early year's 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 web page on [how it collects and shares research data](#).

You can also [contact the Department for 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 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 request please contact our Data Protection Officer.

Parents/carers also have a legal right to access to their child's **educational record**. To request access, please contact the 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)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or 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.

### **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.

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

- Report a concern online at <https://ico.org.uk/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**:

- Clare Anderson ([dpo@tilacademies.co.uk](mailto:dpo@tilacademies.co.uk))



### DECLARATION

I, (INSERT PARENT/CARER NAME) \_\_\_\_\_, declare that I understand:

- Trust in Learning (Academies) has a legal and legitimate interest to collect and process my child's /children's personal data in order to meet statutory requirements
- How my data is used
- That Trust in Learning (Academies) and Filton Avenue Primary School may share my, my child/children's data with the DfE and subsequently the Local Authority
- That they will not share data with any other third party without my consent unless the law requires the Trust or the school to do so
- That the Trust and the school will always ask for explicit consent where this is required and I must provide this consent if I agree to the data being processed
- My data is retained in line with Trust in Learning (Academies) General Data Protection Policy and its associated policies
- My rights to the processing of personal data
- Where I can find out more information about the processing of personal data

Child's name \_\_\_\_\_

Child's class \_\_\_\_\_

Signed ..... Dated .....