



Midsomer Norton Schools Partnership

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Fair Processing Notice (Privacy Notice): Parents and Students

Introduction

This notice is to help parents and students understand **how** and **why** schools in the Midsomer Norton Schools Partnership (Trust) collect your child's personal information and **what** we do with that information. It also explains the decisions that you can make about your child's information.

We are giving you this notice because you are able to exercise your child's data protection rights on their behalf. When your child is older (usually when they reach the age of 13) they will be considered mature enough to exercise their own data protection rights and we will take into consideration any fair request they may make. Once your child enters Post 16 education we will consider them to be able to fully exercise their data protection rights. If you have any questions about this notice please talk to the Headteacher of your child's school in the first instance.

What is "personal information"?

Personal information is information that the School holds about your child and which identifies your child. This includes information such as their date of birth and address as well as things like exam results, medical details and behaviour records. The School may also record your child's religion or ethnic group. CCTV, photos and video recordings of your child are also personal information.

Categories of pupil information that we collect, hold and share

- Personal information (such as name, unique pupil number and contact details)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- National curriculum assessment results
- Special educational needs information
- Relevant medical information

How and why does the School collect and use personal information?

We set out below examples of the different ways in which we also use personal information and where this personal information comes from. Our primary reason for using your child's information is to provide your child with an education.

The admissions forms which you complete give us personal information about your child. We get information from your child, their teachers and other pupils. Your child's previous school also gives us information about your child if we need this to teach and care for them.

Sometimes we get information from your child's doctor and other professionals where we need this to look after your child.

We collect this information to help the School run properly, safely and to let others know what we do here. Here are some examples:

- We need to tell all appropriate members of staff if your child is allergic to something or might need extra help with some tasks.
- We may need to share information about your child's health and wellbeing with the School Nurse or counsellor.

- We may use CCTV to make sure the school sites are safe. CCTV is not used in private areas.
- We may need to report some of your child's information to the government. For example, we may need to tell the Local Authority that your child attends one of the Trust's schools or let them know if we have any concerns about your child's welfare.
- We may need information about any court orders or criminal petitions which relate to your child. This is so that we can safeguard your child's welfare and wellbeing and the other pupils at the Trust's schools.
- If your child is from another country, we have to make sure that they have the right to study in the UK. We might have to provide their information to UK Visas and Immigration.
- Depending on where your child will go when they leave us, we may need to provide their information to other schools. For example, we may share information about your child's exam results and provide references. We may need to pass on information, which they need to look after your child.
- If your child takes public examinations we will need to share information about them with examination boards. For example, if your child requires extra time in exams.
- We may need to share information with the police or our legal advisers if something goes wrong or to help with an inquiry. For example, if one of your child's classmates is injured at school or if there is a burglary.
- Occasionally Schools in the Trust may use consultants, experts and other advisors to assist in fulfilling their obligations and to help run the Schools properly. We might need to share your child's information with them if this is relevant to their work.
- If your child has misbehaved in a serious way, and the police have become involved, we may need to use information about the action taken by the police.
- We may share some information with our insurance company to make sure that we have the insurance cover that we need.
- We may share your child's academic and (where fair) their behaviour records with you or their education guardian so you can support their schooling.
- We may share information about your child between the schools in the Trust. For example, how well your child has behaved at other schools in the Trust and their test results.
- We will only share your child's information with other people and organisations when we have a good reason to do so. In exceptional circumstances, we may need to share it more widely than we would normally.
- We will monitor your child's use of email, the internet and mobile electronic devices e.g. iPads. This is to check that your child is not misbehaving when using this technology or putting themselves at risk of harm. Where we suspect bullying or other inappropriate use, we may ask to look at a child's mobile phone. We are entitled to make such a request under the Keeping Children Safe in Education Legislation. If you would like more information about this you can read the relevant Acceptable Use Policies, Safeguarding Policies, and On-line safety Policies which are on the Trust website.
- We may use photographs or videos of your child for our websites and social media sites or prospectus to show prospective pupils what we do here and to advertise the Trust. We may continue to use these photographs and videos after your child has left the school, but we will ask your permission to do so.
- Sometimes we use photographs and videos for teaching and training purposes, for example, to record a drama lesson. In these situations your child will not be explicitly identified. An explanation will be given to the students before any such activity.
- We publish our public exam results, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing.
- You have the right to opt into any use of photographic images being used. Please see the Trust website for the Policy on the use of Images.
- We sometimes use contractors to handle personal information on our behalf. The following are examples:
 - IT consultants who might access information about your child when checking the security of our IT network; and
 - Third party "cloud computing" services to store some information rather than the information being stored on hard drives located at each school site.
 - Third Party "cloud computing" services to analyse assessment data

Our legal grounds for using your information

This section contains information about the legal basis that we are relying on when handling your child's information.

Legitimate interests

This means that the processing is necessary for legitimate interests except where the processing is unfair to your child. The School relies on legitimate interests for most of the ways in which it uses your child's information. Specifically, the School has a legitimate interest in:

- Providing your child with an education.
- Safeguarding and promoting your child's welfare and the welfare of other children.
- Promoting the objects and interests of the Schools within the Trust. This includes fundraising e.g. if we want to raise money to build new buildings etc.
- Facilitating the efficient operation of the Schools within the Trust.
- Ensuring that all relevant legal obligations of the Schools in the Trust are complied with.

In addition your child's personal information may be processed for the legitimate interests of others. For example, we may use information about your child when investigating a complaint made by another pupil.

Legal obligation

Where the Schools in the Trust need to use your child's information in order to comply with a legal obligation, for example to report a concern about your wellbeing to Children's Services. We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Vital interests

For example, to prevent someone from being seriously harmed or killed.

Public interest

The School considers that it is acting in the public interest when providing education.

The Schools in the Trust must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

Substantial public interest

The processing is necessary for reasons of substantial public interest.

Vital interests

To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

Legal claims

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.

Medical purposes

This includes medical treatment and the management of healthcare services.

We may ask for your consent to use your child's information in certain ways. If we ask for your consent to use your child's personal information you can take back this consent at any time. Any use of your child's information before you withdraw your consent remains valid. Please put any requests of this nature in writing to your child's school. We ask that it is in writing so we have a record of all such requests.

Sharing data with others

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

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013. 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-collection-and-censuses-for-schools>.

Once our pupils reach the age of 13, we also pass pupil 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 or 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 / pupil once he/she reaches the age 13.

We will also share certain information about pupils 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 may share information with some of the following organisations:

- The Local Authority – to meet the 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
- Our regulator [specify as appropriate, e.g. Ofsted, Independent Schools Inspectorate]
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Central and local government
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations who work in our Schools.
- Police forces, courts, tribunals
- Professional bodies

Sending information to other countries

We may send your child's information to countries which do not have the same level of protection for personal information as there is the UK. For example, we may:

- Store your child's information on cloud computer storage based overseas; or
- Communicate with you about your child by email when you are overseas (for example, when you are on holiday).

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en

If the country that we are sending your information to is not on the list or, is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland) then, it might not have the same level of protection for personal information as there is the UK.

For how long do we keep your child's information?

We keep your child's information for as long as we need to in order to educate and look after them. Once your child has left Primary phase, the data will be transferred to a Secondary school and removed from the Primary systems. Once your child has left Secondary education, we have a legal duty to hold this data until the child has reached the age of 25.

In exceptional circumstances, we may keep your child's information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under Data Protection Law.

What decisions can you make about your child's information?

Your child's rights are as follows:

- If information is incorrect you can ask us to correct it;
- You can also ask what information we hold about your child and be provided with a copy. We will also give you extra information, such as why we use this information about your child, where it came from and what types of people we have sent it to;
- You can ask us to delete the information that we hold about your child in certain circumstances. For example, where we no longer need the information. You cannot ask us to delete any information that we are entitled to hold by law.
- You can ask us to send you, or transfer to another organisation, certain types of information about your child in a format that can be read by computer;
- Our use of information about your child may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.
- We will send you an annual Data Checking sheet that you will need to complete as accurately as possible so that we can comply with the law to ensure that the data we hold is accurate. Should any data about your children change between these Data Checking sheets, then you will need to write to your child's school notifying us of the change. We need to keep copies of this kind of documentation to prove we have had authority to change the data.

Further information and guidance

The Trust CEO has overall responsibility for looking after the data we hold, how we use it and who we share it with. Like other organisations we need to keep your information safe, up to date, only use it for what we said we would, destroy it when we no longer need it and most importantly - treat the information we get fairly.

If you consider that we have not acted properly when using your personal information you can contact the Information Commissioner's Office - <https://ico.org.uk/>.