



Privacy Notice

**for parents and carers – use
of your child's personal data**

Contents

1. Introduction	3
2. The personal data we hold	3
3. Why we use this data	3
Automated decision making and profiling	3
4. Our lawful basis for using this data	3
Our basis for using special category data	4
5. Collecting this data	4
6. How we store this data	4
7. Who we share data with	5
National Pupil Database.....	5
Youth support services – pupils aged 13+	5
Youth support services – pupils aged 16+	6
8. Your rights	6
How to access personal information that we hold about your child	6
Your right to access your child’s educational record	6
Your other rights regarding your child’s data	6
9. Complaints	6
10. Contact us	7

1. Introduction

Under data protection law, individuals have a right to be informed about how our trust 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 at our schools.**

This privacy notice applies while we believe your child is not capable of understanding and exercising their own data protection rights.

Once your child is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), you should instead refer to our privacy notice for pupils to see what rights they have over their own personal data.

Prince Albert Community Trust (PACT) is the 'data controller' for the purposes of data protection law. GDPR Sentry Ltd have been appointed as our data protection 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;
- results of internal assessments and externally set tests e.g. national curriculum assessment results;
- pupil and curricular records;
- behaviour and exclusion information e.g. number of temporary exclusions;
- attendance information e.g. number of absences and absence reasons;
- safeguarding information; and
- 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; and
- characteristics, such as ethnic background or special educational needs (SEND).

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:

- a) support pupil learning;
- b) monitor and report on pupil progress;
- c) provide appropriate pastoral care;
- d) meet your child's Inclusion needs;
- e) protect pupil welfare and keep children safe;
- f) assess the quality of our services;
- g) administer admissions waiting lists;
- h) monitor the use of information and communication technologies;
- i) enable your child to participate in offsite activities;
- j) comply with the law regarding data sharing; and
- k) to meet the statutory duties placed upon us by the Department for Education.

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.

4. Our lawful basis for using this data

Our lawful bases for processing your child's personal data for the purposes listed in section 3 above are as follows:

For the purposes of a, b, c, d, e, f, g, h and k from section 3 above, in accordance with the 'public task' basis – we need to process data to fulfil our statutory function as a school.

For the purposes of d, e, g, j and k from section 3 above, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law.

For the purposes of d, i and j from section 3 above, in accordance with the 'consent' basis – we will obtain consent from you to use your child's personal data.

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 would go about withdrawing consent if you wish to do so.

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'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 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'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.

5. Collecting this data

While the majority of 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;
- previous schools/trusts attended;
- government departments or agencies; and
- 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.

Personal data relating to PACT pupils is stored in line with the PACT Data Protection and Privacy Policy.

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 personal information about your child with:

- our local authority (Birmingham LA) – to meet our legal obligations to share certain information with it, such as safeguarding concerns, information about exclusions and statutory duties under the Schools Admissions Code including conducting Fair Access Panels;
- government departments or agencies such as the DfE - to meet the statutory duties and legal obligations placed upon us by the Department for Education such as School Census collections under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013;
- our youth support services provider (for pupils aged 13+, see more information below);
- educators and examining bodies;
- our regulator, Ofsted – to assess the quality of our services;
- suppliers and service providers (i.e. external catering providers) - to enable them to provide the service we have contracted them for;
- financial organisations (including debt collection agencies);
- our auditors;
- the NHS and health authorities;
- security organisations;
- health and social welfare organisations;
- professional advisers and consultants;
- police forces, courts, tribunals; and
- pupils' destinations upon leaving one of our schools.

The information that we share with these parties may include the following:

- safeguarding files;
- contact information;
- teaching and learning information including assessments; and
- SEND information.

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 for Education 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.

Youth support services – pupils aged 13+

Once 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; and
- careers advisers.

A parent or guardian can object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the pupil once they reach the age 16.

Youth support services – pupils aged 16+

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; and
- careers advisers.

A pupil once they reach the age of 16 can object to only their name, address and date of birth being passed to their local authority or provider of youth support services by informing us.

8. Your rights

How to access personal information that we hold about your child

You have a right to make a 'Data Subject Access Request' (DSAR) to gain access to personal information that we hold about your child.

If you make a DSAR, 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; and
- 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 is able to understand their rights over their own data (generally considered to be age 12, but this has to 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

There is no automatic parental right of access to the educational record in academies and free schools. To request this, parents should make a Data Subject Access Request as set out above.

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; and
- 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 is able to understand their rights over their own data (generally considered to be age 12, but this has to 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.

9. 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 (see 'Contact us' below).

Alternatively, you can raise a concern directly with the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.

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 detailed below.

Data Protection Officer: GDPR Sentry Ltd
Email: dpo@the-pact.co.uk