



# Privacy Notice for Parents and Carers

POLICY REVIEW AND ADOPTED BY MANAGEMENT COMMITTEE	DATE
REVIEWED:	September 2023
REVIEW FREQUENCY:	One Year
DATE OF NEXT REVIEW:	September 2024
RESPONSIBLE OFFICER / REVIEWED BY:	Headteacher

## Privacy Notice for Parents / Carers

Under Data Protection law, individuals have a right to be informed about how the Local Authority and school uses any personal data that we hold about them. We comply with this right by providing "Privacy Notices" to individuals where we are processing their personal data.

This Privacy Notice explains how we collect, store and use personal data about pupils.

We, Rise Carr College are the "Data Controller" for the purposes of Data Protection law.

Our Data Protection Officer is IT Systems and is contactable via Phone: 0843 8868660, Email: [dpo@itsystems.uk.net](mailto:dpo@itsystems.uk.net)

### The Personal Data we hold on your child:

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

- Parental details, contact details, contact preferences, date of birth, identification documents.
- Results of internal assessments and external set tests.
- Pupil and curricular records.
- Characteristics, such as ethnic background, eligibility for Free School Meals or Special Educational Needs.
- Exclusion information.
- Details of any medical conditions, including physical and mental health.
- Attendance information.
- Safeguarding information.
- Details of their family circumstances
- Details of any support received, including care packages, plans and support providers.
- Photographs and video.
- CCTV images captured in the school.

We may also hold data about pupils that we have received from other organisations, including other schools and academy's, Local Authorities and the Department of Education.

### Why we use this Data:

We use this data to:

- Support pupil learning.
- Monitor and report on pupil progress.
- Provide appropriate Pastoral care.
- Protect Pupil welfare.
- Assess the quality of our services.
- Administer admissions waiting lists.
- Carry out research.
- Comply with the law regarding data sharing.

### **Our legal basis for using this Data:**

We only collect and use pupil's 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 pupil's 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 pupil's personal data, this consent can be withdrawn at any time. We will make it clear when we ask for consent and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupil's 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 about 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.

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

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

### **How we store this data:**

We keep personal information about pupils while they are attending the school. We may also keep it beyond their attendance at our school if this is necessary to comply with our legal obligations.

The Local Authority's Data Retention Policy sets out how long we keep information about pupils. A copy of this policy is published on the school's website, alternatively a paper copy is available from the Data Protection Officer.

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

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

### **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 Exclusion.
- The Department of Education – to meet our legal obligations to share certain information including Safeguarding concerns and student outcomes.
- The pupil's family and representatives – to meet our legal obligations in relation to informing parents / carers of their child's academic progress and Safeguarding matters.
- Educators and examining bodies – to ensure that students are entered for public examinations and that marks for controlled assessments are submitted.
- Our regulator e.g. Ofsted – in response to any Safeguarding matters they are required to investigate, to share data with Inspectors during Ofsted inspections.
- Suppliers and service providers – to enable them to provide the service that we have contracted them for.
- Central and Local Government – to enable us to meet our legal obligations in regard to Safeguarding and Exclusions.
- Health Authorities – to ensure that appropriate support is available to students and to comply with our legal obligations in relation to Safeguarding.
- Health & Social Welfare organisations – to ensure that appropriate support is available to students and to comply with our legal obligations in relation to Safeguarding.
- Professional advisors and consultants – to access support and advice to assist students to achieve their full potential.
- Charities and voluntary organisations – to access appropriate support for students as and when required.
- Police forces, courts and tribunals – to comply with the law and meet our legal obligations in relation to Safeguarding.

### **National Pupil Database:**

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as school census and Early Years census.

Some of this information is stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence in 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 school, 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 Departments webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about NPD.

### **Youth Support Services:**

Once our pupils reach the age of 13, we are legally required to pass on certain information to the appropriate Local Authority, as it has 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 pupils once aged 16 or over, can contact our Data Protection Officer to request that we only pass the individuals name, address and date of birth to the appropriate Local Authority.

### **Transferring data Internationally:**

Where we transfer personal data to a country or territory outside the UK, we will do so in accordance to data protection law.

### **Parents and pupil's rights regarding personal data:**

Individuals have a right to make a "subject access request" to gain access to personal information that the school holds on 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 / Carers also have the right to make a subject access request with respect to any personal data the school holds about them.

To 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

IT Systems and is contactable via Phone: 0843 8868660, Email: [dpo@itsystems.uk.net](mailto:dpo@itsystems.uk.net)

There is no automatic parental right to access educational records in the school. The Local Authority has agreed to allow parents / carers to access their child's educational records. To request access please contact the school that your child attends.

### **Responding to subject access requests:**

When responding to requests, we:

- May ask the individual to provide 2 forms of identification.
- May contact the individual via phone to confirm the request was made.
- Will respond without delay and within one month of receipt of the request.
- Will provide the information free of charge.
- May tell the individual we will comply within three months of the receipt of the request, where a request is complex or numerous. We will inform the individual of this within one month and explain why the extension is necessary.

We will not disclose information of it:

- Might cause serious harm to the physical or mental health of the pupil or another individual.
- Would reveal that the child is at risk of abuse, where the disclosure of that information would not be in the child's best interests.
- Is contained in adoption or parental order records.
- Is given to a court in proceedings concerning the child.

If the request is unfounded or excessive, we may refuse to act, or charge a reasonable fee which considers administrative costs.

A request will be deemed to be unfounded or excessive if it is repetitive or asks for further copies of the same information.

When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO.

### **The personal data we hold about you:**

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

- Contact details and contact preferences (such as your name, address, email address and telephone numbers)
- Bank details
- Details of your family circumstances
- Details of any safeguarding information including court orders or professional involvement
- Records of your correspondence and contact with us
- Details of any complaints you have made

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any health conditions you have that we need to be aware of
- Photographs and CCTV images captured in school

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

### **Why we use this data**

We use the data listed above to:

- a) Report to you on your child's attainment and progress
- b) Keep you informed about the running of the school (such as emergency closures) and events
- c) Process payments for school services and clubs
- d) Provide appropriate pastoral care

- e) Protect pupil welfare
- f) Administer admissions waiting lists
- g) Assess the quality of our services
- h) Carry out research
- i) Comply with our legal and statutory obligations

### **Use of your personal data for marketing purposes**

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

### **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 in order to explain the processing to you, including your right to object to it.

### **Our lawful basis for using this data**

Our lawful basis for collecting and processing student information is defined under Article 6(1) of the GDPR, and the following sub-paragraphs apply:

- a) Data subject gives consent for one or more specific purposes
- b) Processing is necessary for the performance of a contract
- c) Processing is necessary to comply with the legal obligations of the controller
- d) Processing is necessary to protect the vital interests of the data subject
- e) Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education)

Our lawful basis for collecting and processing student information is also further defined under Article 9(2) of the GDPR in that some of the information we process is sensitive personal information, for example, personal data relating to race or ethnic origin, religious beliefs, data concerning health and the following subparagraphs in Article 9(2) of the GDPR apply:

- a) The data subject has given explicit consent to the processing
- b) Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the Academy or of students and their parents
- c) Processing is necessary to protect the vital interests of the data subject
- f) Processing is necessary for the establishment, exercise or defence of legal claims
- g) Processing is necessary for reasons of substantial public interest

- h) Processing is necessary for the purposes of preventative or occupational medicine and the provision of health or social care or treatment
- i) Processing is necessary for reasons of public interest in the area of public health

Where you have provided us with consent to use your 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 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 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 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

### **Collecting this data**

While the majority of information we collect about you 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 you will come from you, but we may also hold data about you from:

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

### **How we store this data**

We keep personal information about you while your child is attending our school. We may also keep it beyond their attendance at our school if this is necessary. WE follow the DBC records management policy which sets out how long we keep information about parents and carers.

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

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

### **Who we share data with**

We do not share information about you 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 you with:

- Our local authority, Darlington Borough 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 regulator, Ofsted
- Our auditors
- Health authorities
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

### **Your rights**

#### **How to access personal information that we hold about you**

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

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may 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 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).

### **Your other rights regarding your data**

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

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your 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 you 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).

### **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

### **Contact us:**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact:

IT Systems and is contactable via Phone: 0843 8868660, Email: [dpo@itsystems.uk.net](mailto:dpo@itsystems.uk.net)

This notice is based on the Department for Educations Privacy Notice for Pupils, amended for parents and to reflect the way we use data in our school.