MK Sapphire Federation

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

1. Introduction

Under UK 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 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.

We, the MK Sapphire Federation, are the 'data controller' for the purposes of UK data protection law.

Our data protection officer is The ICT Service (see 'Contact us' below).

2. The Personal Data We Hold

We hold personal data about pupils at our school to support teaching and learning, to provide pastoral care and to assess how the school is performing.

Personal data that we may collect, use, store and share (when appropriate) about students/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
- Exclusion information
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Information about your child's use of our information and communications systems, equipment and facilities (e.g. school computers)

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:

- Information about any medical conditions we need to be aware of, including physical and mental health
- Photographs and CCTV images captured in school
- Information about characteristics, such as ethnic background or special educational needs

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

3. Why we use this data

We use the data listed above to:

a) Support student/pupil learning
b) Monitor and report on student/pupil progress
c) Provide appropriate pastoral care
d) Protect pupil welfare
e) Assess the quality of our services
f) Administer admissions waiting lists
g) Carry out research
h) Comply with the law regarding data sharing
i) Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely

We will only use your child's personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for any other reason and that reason is incompatible with the original purpose. If we need to use your child's personal information for an unrelated purpose, we will notify you and explain the legal basis that allows us to do so.

Please note that we may process your child's personal information without your knowledge or consent in compliance with the above rules where this is required or permitted by law.

3.1 Use of your child's personal data for marketing purposes

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

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

3.2 Use of your child's personal data in automated decision making and profiling

We do not currently process any pupils' 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.

3.3 Use of your child's personal data for filtering and monitoring purposes

While your child is in our school, we may monitor their use of our information and communication systems, equipment and facilities (e.g. school computers). We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)
- Protect your child's welfare

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 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h 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 3a, 3b, 3c, 3d, 3e, 3f, 3h 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 3a, 3b, 3c, 3d, 3e, 3f from section 3 above , in accordance with the 'consent' basis – we will obtain consent from you to use your child's personal data
- For the purposes of 3a, 3b, 3c, 3d, 3e, 3f, 3h from section 3 above, in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation

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 we ask for consent, and explain how you would go about withdrawing consent if you wish to do so.

4.1 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 UK 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 UK 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

We will only collect and use your child's information when the law allows us to as detailed above in section 4 of this notice. 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, 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
- Government departments or agencies
- Police forces, courts or tribunals
- Other schools or trusts
- Department for Education

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 to comply with our legal obligations or to meet our regulatory requirements. We keep personal data according to the Retention Schedule set out in the Information and Record Management Society's Toolkit for Schools.

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 have a legal requirement to retain it.

7. Who we share data with

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 UK data protection law) we may share personal information about pupils with:

- Schools that your child may attend after leaving us
- Our local authority – [Milton Keynes] - to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about suspensions
- Government departments or agencies
- Department for Education
- Our regulator, Ofsted – to meet our legal obligations
- Suppliers and service providers
- Financial organisations
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations

- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

7.1 Sharing data with the Department for Education (DfE)

The Department for Education (a government department) collects personal data from schools and local authorities via various statutory data collections. We are required to share information about our pupils with the DfE either directly or via our local authority, via various statutory data collections.

The data shared will be in line with the following relevant legislation:

Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013

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The data is transferred securely and held by the Department for Education under a combination of software and hardware controls that meet the current government security policy framework.

The data we share with the DfE is used for a number of purposes, including to:

Inform funding

Monitor education policy and school accountability

Support research

The information shared with the DfE could include:

Your child's name and address

Unique pupil numbers

Pupil matching reference numbers

Gender or ethnicity

Details of any special educational needs (SEN)

Details of schools attended

Absence and exclusion information

Information relating to exam results

Information relating to any contact with children's services

What they did after they finished school

Please note: this list is not exhaustive.

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 years' 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.

7.2 Transferring data internationally

We may share personal information about your child with the following international third parties, where different data protection legislation applies:

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

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

8. Your rights

8.1 How to access personal information that we hold about your child

You have a right to make a 'subject access request' to gain access to personal information that the school holds about your child.

If you make a subject access request, 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
- 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.

8.2 Your right to access your child's educational record

Parents, or those with parental responsibility, also have the right to access their child's educational record (which includes most information about a pupil). This right applies as long as the pupil is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

To make a request, please contact admin@stantonschoolmk.org.uk for Stanton School and office@pepperhillschoolmk.org.uk for Pepper Hill School.

8.3 Your other rights regarding your child's data

Under UK 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 the use of your child's personal data
- Object to the processing of your child's personal data that is likely to cause, or is causing, damage or distress
- 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 or blocked,
- In certain circumstances, have the personal data we hold about your child deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your child's personal data for a specific purpose
- 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

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task

Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests

Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't haven't the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.

To exercise any of these rights, please contact admin@stantonschoolmk.org.uk for Stanton School and office@pepperhillschoolmk.org.uk for Pepper Hill School.

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.

You can make a complaint to us at any time by contacting admin@stantonschoolmk.org.uk for Stanton School and office@pepperhillschoolmk.org.uk for Pepper Hill School.

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

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:

The ICT Service

Email: DPO@theictservice.org.uk

Tel: 0345 196 8075

Address: Speke House, 17 Compass Point Business Park, Stocks Bridge Way, St Ives, Cambs PE27 5JL

However, our **data protection lead** has day-to-day responsibility for data protection issues in our school.

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

- admin@stantonschoolmk.org.uk for Stanton School and office@pepperhillschoolmk.org.uk for Pepper Hill School.