Data Privacy Notice for Parents and Carers – Use of Pupil Data

We, Celtic Cross Education of Unit 15, Victoria Trading Estate, Victoria Business Park, Roche, St. Austell, Cornwall, PL26 8LX, are the 'Data Controller' for the purposes of UK data protection law. Our Data Protection Officer is Glyn Pascoe (see 'Contact us' section below).

What is a 'privacy notice'?

It's your right under UK data protection law for you to be informed about how organisations use your data. A privacy notice is often called a 'fair processing notice' and is designed to inform individuals when data about them is collected, held and processed. This privacy notice is designed to explain how we collect, store and process pupil data.

Typical examples of personal data are:

- Contact details such as name, address, phone numbers, email addresses
- Date of birth
- Gender
- Country of birth
- Emergency contact information
- FSM (free school meal) eligibility
- Curricular records such as assessment data
- Attendance data
- Exclusion data
- Pupil photographs, both official and those captured as part of learning evidence
- Safeguarding information including court orders or professional involvement
- Data relating to support provision received including care packages, plans and support providers eg external agencies.
- CCTV images captured on our sites (non-facial recognition)
- Usage data relating to interactions with our IT systems

The above list should be viewed as a non-exhaustive list and additional data may be stored where it is deemed relevant. Information may also be received from other organisations such as schools, authorities or the DfE (Department for Education). In addition, certain 'special categories' of more sensitive data may also be stored, including (but not limited to):

- Medical information including physical and mental health conditions
- Ethnicity and languages spoken
- Special Educational Needs
- Faith schools may collect religion as part of admission arrangements

What is the purpose of holding the data?

- To help support pupil learning and development by reporting progress
- To provide pastoral care
- To help track pupil progress and assessment
- To ensure pupil welfare and safeguarding
- To comply with the relevant laws around data sharing and statutory reporting
- To assess and improve the quality of our teaching and support systems
- To carry out research

Use of personal data in automated decision making and profiling?

We do not process any personal data through automated decision making or profiling.

What is our lawful purpose?

Data must only be collected and processed when allowable by law. Typically this is when:

- We are required to process data to deliver our service as an academy
- We are required to hold data to comply with legal obligations
- It is in the public interest to do so

In addition to the above, it is allowable to hold/process personal data when we have received consent to do so and/or the data allows us to protect your child's or someone else's vital 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.

What is our basis for using special category data?

We only collect, store and process special category data when we have both a lawful basis and one of the below conditions for processing as set out in UK data protection law:

- Explicit consent has been obtained
- Protecting an individual's vital interests in emergency cases where you are physically or legally incapable of giving consent
- The data has already been made public by you
- Processing for legal claims
- Processing it for substantial public interest as defined in legislations
- Processing 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 another person obliged to confidentially under law

- Processing for public health reasons, and the processing is done by or under the direction of a health professional or by another person obliged to confidentially under law
- Processing for archiving purposes, scientific or historical research purposes or for statistical purposes and the processing is in the public interest.
- Performing an obligation or right in relation to employment, social security or social protection law

Criminal offence data is only collected, stored and processed when we have both a lawful basis and one of the below conditions for processing as set out in UK data protection law:

- Consent has been obtained
- Protecting an individual's vital interests in emergency cases where you are physically or legally incapable of giving consent
- The data has already been made public by you
- Processing it for or in connection with legal proceedings, to obtain legal advice or exercise or defence of establishment legal rights
- Processing for reasons of substantial public interest as defined in legislation

How is information collected?

Personal data will fall into two categories: mandatory (in as much as you must comply with the request to provide the data) and optional (where there is a choice whether to supply information or not). As a Data Controller, we must highlight to you which of the above scenarios is applicable.

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, courts, tribunals

How is data stored?

Personal data is kept secure and is retained for the duration of a pupil's attendance at our academy. Certain data may be retained after the pupil leaves the academy in order to comply with our legal obligations. The data will be subject to our standard retention period followed by secure disposal.

A copy of this schedule can be obtained from The Information and Records Management Society's Toolkit for Schools.

How we share your data?

Data will not be shared with any third party without consent unless either allowable by law or indicated as part of our policies. Assuming either of the above apply, data can be shared with:

- Central government and our local authority (Cornwall) – to meet our legal obligations to share certain information with them, such as safeguarding concerns and exclusions
- The Department for Education – to meet our legal obligations to share certain information with it, such as assessment data and census returns
- The pupil's family and representatives – to meet our legal obligations and comply with subject access requests
- Educators and examining bodies – to meet our legal obligations and to support pupil learning such as SATs results
- Our regulator Ofsted – to meet our legal obligations such as SATs results and assessment monitoring data
- Suppliers and service providers – to enable them to provide the service we have contracted them for such as parent contact information for text/SMS/app messaging services
- Financial organisations – to enable them to provide the service we have contracted them for, such as bank account details to enable paying of invoices
- Health authorities – to provide appropriate pastoral care and to protect pupil welfare, such as attendance and medical conditions
- Health and social welfare organisations – to meet our legal obligations and to provide appropriate pastoral care and to protect pupil welfare, such as attendance, attainment and medical conditions
- Professional advisers and consultants – to support pupil learning and enable them to provide the service we have contracted them for, such as progress, attainment and attendance
- Charities and voluntary organisations – to support pupil learning and welfare, such as behavioural and social and emotional characteristics
- Police forces, courts, tribunals – to meet our legal obligations to share certain information with them, such as safeguarding

Where allowable and appropriate, data may be transferred internationally in accordance with UK data protection law.

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/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 federations, 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 webpage on how it collects and shares research data.

You can also contact the Department for Education with any further questions about the NPD.

How can I see what personal information is held about my child? Your rights

Parents and carers are able to gain access to a report of the data held about a pupil under the age of 12 years or where the child has given consent. To do so, please complete a 'subject access request'. If we do hold information about your child we will provide the following information:

- A description of the data
- A reason for holding the data
- Where we obtained the data if not from you or your child
- How long the data will be retained for
- Whether the data has been shared and with whom
- Whether any automated decision-making has been applied
- A copy of the data in an intelligible format

A pupil's educational record can be obtained which typically includes the most up-to-date information about a pupil. Please note that the academy may reserve the right to charge a small admin fee to cover the generation of this report as there is no automatic legal right to access this information. Upon receiving the request, we will produce the report within 15 school days. To request access please contact the relevant academy's Data Protection Representative

Other rights

As a data subject, you have the right to:

- Formally object to the use of your data if it is likely to cause or result in damage, upset or distress
- In certain circumstances have inaccurate data corrected, removed or restrictions placed on its processing
- In certain circumstances have the data we hold about you deleted or destroyed
- In certain circumstances, be notified of a data breach
- Claim compensation for damages caused by a breach of the data protection regulations
- Make a complaint to the Information Commissioner's Office (ICO)
- Object to the use of your data in decisions being made by automated processes
- Prohibit your data being used to send direct marketing

To exercise any of these rights, please contact your academy's Data Protection Representative (DPR).

Complaints process

To make a complaint or discuss a situation where you believe your data may be being misused, please contact the school in the first instance, requesting to speak to the Data Protection Representative.

The Information Commissioner's Office (ICO) can also receive complaints around data handling:

- Via their web form at: https://ico.org.uk/make-a-complaint/
- Via live chat on the ICO website
- By calling: 0303 123 1113
- In writing 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 in the first instance contact your academy's Data Protection Representative (DPR).

If you feel your concern has not been answered or you have an issue that needs to be escalated, please contact our Data Protection Officer (DPO).

Academy Data Protection Representatives:

Bishop Bronescombe	Sam Clifford	bishopbronescombe.secretary@celticcross.education
Grampound Road	Emma Wright	grampoundroad.secretary@celticcross.education
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Data Protection Officer:

Glyn Pascoe DPO@ict4.co.uk