

PRIVACY NOTICE FOR PARENTS & CARERS

Introduction

Under 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' (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.

We, Fylde Coast Academy Trust, are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Mr P Montgomery (see 'Contact us' below).

The personal data we hold

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

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Post 16 courses enrolled for and any relevant results
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Behavioural and exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

Why we use this data

We use this data to:

- Support pupil learning
- Monitor and report on pupil attainment and progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- To keep children safe (food allergies, or emergency contact details)
- Carry out research
- Comply with the law regarding data sharing
- Meet the statutory duties placed upon us for DfE data collections

Our legal basis for using this data

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We only collect and use pupils' 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 pupils' 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)

Under the General Data Protection Regulation (GDPR), the main lawful bases we rely for processing information will be:

Article 6(1)(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;

Article 6(1)(c) processing is necessary for compliance with a legal obligation to which the controller is subject;

Article 6(1)(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;

or

Article 6(1)(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

In addition, we process special categories of personal data under UK GDPR Article 9. We have an Appropriate Policy Document in place, setting out and explaining our procedures for securing compliance with the principles in Article 5 and policies regarding the retention and erasure of such personal data.

Article 9(2)(b) where processing is necessary to **comply with employment law**, for example where we are:

- checking if individuals are entitled to work in the UK;
- ensuring health, safety and welfare of employees;
- maintaining records of statutory sick pay and maternity pay; or
- deducting trade union subscriptions from payroll.

Article 9(2)(c) where processing is necessary to protect the **vital interests** of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent. This condition for processing is likely to be most relevant for emergency medical care, when we need to process personal data for medical purposes but the student or member of staff is unconscious or otherwise incapable of giving consent.

Article 9(2)(g) where processing is necessary for reasons of **substantial public interest**. This is likely to include the following conditions as set out in paragraphs 6 to 28 of Schedule 1 of the DPA 2018:

- 6. Statutory and government purposes
- 8. Equality of opportunity or treatment
- 18. Safeguarding of children and individuals at risk

Article 9(2)(h) where the processing is necessary for **health or social care purposes**, for example in relation to students and staff with medical conditions or disabilities;

Article 9(2)(i) where the processing is necessary for reasons of public interest in the area of **public health**. This condition for processing is likely to be most relevant for sharing data about our staff or students with the NHS and associated public health bodies in the case of an epidemic or pandemic.

Article 9(2)(a) where the data subject has given **explicit consent** to the processing of those personal data for one or more specified purposes where none of the above apply. In circumstances where we seek consent, we make sure that the consent is unambiguous and for one or more specified purposes, is given by an affirmative action and is recorded as the condition for processing.

Where we use biometric data such as fingerprints for cashless catering we rely on gaining explicit consent from the data subject or their parent/carers before using this data.

Collecting this information

We collect pupil information via our admissions processes, data collection forms, Common Transfer File (CTF) and secure file transfer from previous schools.

Pupil data is essential for the schools' operational use. While the majority of information you provide and we collect is mandatory, some of it is requested on a voluntary basis.

Whenever we seek to collect information from 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.

When we ask for ethnicity (requested by the DfE for statutory census returns) we make it clear that providing it is optional and by providing it the data subject (or their parent/carer) is consenting for it to be shared with the DfE.

How we store this data

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our Data and Information Management Policy sets out how long we keep information about pupils.

A copy of our Data and Information Management Policy may be requested from our Data Protection Officer (see 'Contact Us' below).

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 exclusions
- The Department for Education (DfE)
- Fylde Coast Academy Trust (FCAT)
- The pupil's family and representatives
- Educators and examining bodies
- Sixth form colleges and other post-16 providers
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Health authorities

- Health and social welfare organisations

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 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 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 web page 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

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to the 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 individual's name, address and date of birth to Blackpool Council.

Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How the Government uses your data' section.

Transferring data internationally

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

Parents and pupils' rights regarding personal data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe.

Parents and pupils' have a right to make a 'subject access request' to gain access to personal information that the school holds about them.

Parents and pupils also have the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing

To exercise any of these rights, please contact our data protection officer.

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 by contacting our Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- 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 our **Data Protection Officer**:

Mr P Montgomery
Data Protection Officer
FCAT Central Office,
Mereside Primary Academy
Langdale Road
Blackpool
FY4 4RR

dpo@fcats.org.uk