



# Privacy Notice

## Emergency Contact/Next of Kin

To be reviewed on an annual basis by the Trust Board

### History of Document

Issue No	Author	Date Reviewed	Approved by Trust Board	Comments
1	DPO	8/1/20	-	1 <sup>st</sup> issue
2	DPO	12/7/18	-	cctv
3	DPO	20/8/20	-	Covid-19 track and trace
4	DPO	23/11/20	17/12/20	Overview, withdrawal of consent, international transfers, complaints

## Overview

We are required by data protection law to provide the information in this Privacy Notice. It is important that you read the Privacy Notice carefully, together with any other similar or additional information that we might give you from time to time about how we collect and use your personal data. We may update this Privacy Notice at any time.

## Data Controller

The Active Learning Trust is the “controller” for the purposes of data protection law. This means that we are responsible for deciding how we hold and use personal data about you.

Our Data Protection Officer is Mrs Caroline Driver email: [dataprotection@activelearningtrust.org](mailto:dataprotection@activelearningtrust.org). As Data Protection Officer, they are responsible for informing and advising us about our data protection law obligations and monitoring our compliance with these obligations. They also act as your first point of contact if you have any questions or concerns about data protection.

## What is Personal Data?

Personal data means any information relating to a living individual who can be identified (directly or indirectly) in particular by reference to an identifier (e.g. name, NI number, employee number, email address, physical features). It can be factual (e.g. contact details or date of birth), an opinion about an individual's actions or behaviour, or information that may otherwise impact that individual in a personal or business capacity.

Data protection law divides personal data into two categories: ordinary personal data and special category data. Any personal data that reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health conditions, sexual life or sexual orientation, biometric or genetic data that is used to identify an individual is known as special category data. (The rest is ordinary personal data).

## Categories of Personal Data we process

We process personal data relating to emergency contacts. Personal data that we may collect, use, store and share (where appropriate) about you includes, but is not restricted to the following, which is provided by the parent/carer of a pupil or employee:

- Contact details (such as name, address, telephone and email)
- Relationship to the pupil or staff member and priority level of contact
- Any documentation given to us on behalf of a pupil or employee regarding the relationship between the emergency contact and the pupil/employee.
- Images captured by CCTV on/adjacent to the school's premises

## **Why we collect emergency contacts personal data**

The Trust has a legal duty to protect the safety and welfare of its pupils and its employees. We use this data to:

- Contact a representative for the pupil where the main parent(s)/carer are not available
- Contact a representative of an employee when needed
- Provide appropriate pastoral care for pupils
- Protect pupil welfare
- Comply with the law regarding pupil and employee welfare

## **Collecting and using Personal Data in this way is lawful because:**

We only collect and use emergency contacts' personal information when the law allows us to. Most commonly we process it where:

- We need to comply with a legal obligation to pupils or employees
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority invested in the Controller
- We need to protect the child's or employee's vital interests

## **How we collect your Personal Data**

We obtain information about you from parents/carers of pupils, either when they complete a School Admission Form when their child is first admitted to the school, or when they provide us with your details as a new emergency contact for their child. Employees also provide such information directly to us.

## **How we protect your Personal Data**

We take the security of personal data very seriously. We have internal policies and controls in place to try to ensure that data is not lost, accidentally destroyed, misused or disclosed.

## **How we store your Personal Data**

We keep personal information, such as emergency contacts information in secure Management Information Systems and hard copies are held in the pupil's educational records file or employee's personnel file in a locked, secure location with limited access.

## **Data Sharing**

We will not share information about you with third parties without your consent unless the law allows us to. Where it is legally required, or necessary, we may share your personal data which we collect to:

- Our local authority – to meet our legal obligations to share certain information about it, such as safeguarding concerns
- Pupil's /employee's family and representatives

## Withdrawal of Consent

Where we are processing your personal data with your consent, you have the right to withdraw that consent at any time. We will make this clear when requesting your consent and explain how you go about withdrawing consent if you wish to do so.

## 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. We currently transfer personal data outside the EEA as we store personal data on cloud systems based in the EEA that have backup systems that may sometimes be located outside the EEA.

## How long we keep your personal information

Personal Data that we collect is stored in line with our Records Retention Policy. When it is no longer necessary we will delete your personal data.

## Your rights

You have a number of legal rights relating to your personal data which are outlined here:

- **The right to make a subject access request.** This enables you to receive certain information about how we use your personal data, as well as to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **The right to request that we correct incomplete or inaccurate personal data** that we hold about you.
- **The right to request that we delete or remove personal data** that we hold about you where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- **The right to object to our processing your personal data** where we are relying on our legitimate interest (or those of a third party), where we cannot show a compelling reason to continue the processing
- **The right to request that we restrict our processing of your personal data.** This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.

- **The right to withdraw your consent to us using your personal data.** As described above, we do not normally rely on your consent as the legal ground for using your personal data. However, if we are relying on your consent as the legal ground for using any of your personal data and you withdraw your consent, you also have the right to request that we delete or remove that data, if we do not have another good reason to continue using it.
- **The right to request that we transfer your personal data** to another party, in respect of data that you have provided where our legal ground for using the data is that it is necessary for the performance of a contract or that you have consented to us using it (this is known as the right to “data portability”).

If you want to exercise any of the above rights, for example, by requesting a copy of the information which we hold about you, please contact the Trust’s Data Protection Officer as follows:

Data Protection Officer, The Active Learning Trust c/o Littleport & East Cambridgeshire Academy, Camel Road, Littleport, Ely, England, CB6 1EW

Email: [dataprotection@activelearningtrust.org](mailto:dataprotection@activelearningtrust.org)

Note that these rights are not absolute and in some circumstances we may be entitled to refuse some or all of your request.

More information about your rights is available in our Data Protection Policy which is on our website -[Link](#)

## Concern/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 our Data Protection Officer 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/concerns/>
- Call 0303 123 1113 (local rate)
- Call 01625 545 745 (national rate)
- Or write to: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## Contact

If you would like to discuss anything in this privacy notice, please contact the Trust’s Data Protection Officer [[dataprotection@activelearningtrust.org](mailto:dataprotection@activelearningtrust.org)]