



**PENINSULA**  
LEARNING TRUST

## **How We Use Your Information Privacy Notice for Parents and Pupils**

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**PENRICE ACADEMY**

**Peninsula Learning Trust**

April 2018

## **Parent and Pupil Privacy Notice**

### **Introduction**

This notice is to help you understand **how** and **why** we collect personal information about you and **what** we do with that information. It also explains the decisions you can make about your own information.

If you have any questions about this notice please contact Ben Bull (Chief Information Officer) who is the registered Data Protection Officer either via email; [dpo@peninsulatrust.org](mailto:dpo@peninsulatrust.org) or via phone; 01726 216650

### **What is personal information?**

Personal information is information that identifies you as an individual and relates to you.

The categories of personal information that the school collects and holds include the following;

- Personal information – e.g. names, contact details and addresses
- Characteristics – e.g. ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information – e.g. number of absences and absence reasons
- Assessment information – e.g. national curriculum assessment results
- Relevant medical information
- Information relating to SEND
- Behavioural information

### **How and why does the school collect and use personal information?**

We set out below examples of the different ways in which we use personal information and where this personal information comes from. The Schools' primary reason for using your personal information is to provide educational services to your child.

Penrice Academy hold the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, local authority and/or the Department for Education. We collect and use personal data in order to meet the legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following;

- Article 6 and Article 9 of the General Data Protection Regulation

- Education Act 1996, Education Act 2011, Education Act 2005
- Regulation 5 of The Education (Information About Individual Pupils)(England) Regulations 2013

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons;

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To assess the quality of our service
- To comply with the law regarding data sharing
- To safeguard pupils.

In more detail;

- We obtain information about you from admissions forms and from your child's previous school. We may also get information from professionals such as doctors and from local authorities.
- We may have information about any family circumstances which might affect your child's welfare or happiness.
- We may need information about any court orders or criminal petitions which relate to you. This is so that we can safeguard the welfare and wellbeing of your child and the other pupils at the School.
- We use CCTV to make sure the school site is safe. CCTV is not used in private areas such as toilets or changing rooms.
- We may take photographs or videos of you at Schools events to use on social media and on the School website. This is to show prospective parents and pupils what we do here and to advertise the School. We may continue to use these photographs and videos after your child has left the School.
- We may send you information to keep you up to date with what is happening at the School. For example, by sending you information about events and activities taking place and the School newsletter.
- We may keep details of your address when your child leaves the School.
- We may use information about you if we need this for historical research purposes or for statistical purposes.

### Financial Information

- We will process financial information about you in relation to the payment of fees for trips, activities, events or school meals.
- We use a 3<sup>rd</sup> party organisation called ParentPay to assist us with collection of payments and the issuing of refunds.

- We use a 3<sup>rd</sup> party organisation called Cater Link to provide meals for your children. They receive information from the School in relation to dietary requirements and also information from ParentPay in terms of available funds.

### Sharing personal information with 3<sup>rd</sup> parties

- In accordance with our legal obligations, we may share information with local authorities and the Department for Education, for example, where we have safeguarding concerns.
- On occasion we may need to share information with the police.
- We may also need to share information with our legal advisers for the purpose of obtaining legal advice.
- Occasionally we may use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the School properly. We might need to share your information with them if this is relevant to their work.
- We may share some information with our insurance company, for example, where this is a serious incident at the School.
- If your child leaves us to attend another school, we may need to provide that school with information about you. For example, details of family circumstances for safeguarding reasons.
- We may share information about you with others in your family, such as another parent or step-parent. For example, where this is part of our obligation to take care of your child or as part of our wider legal and regulatory obligations.
- We may need to share information if there is an emergency, for example, if you are hurt whilst on School premises.

### **Our legal grounds for using your information**

This section contains information about the legal basis that we are relying on when handling your information.

#### Legitimate interests

This means that the processing is necessary for the legitimate interests except where the processing is unfair to you. The School relies on legitimate interests for most of the ways in which it uses your information.

Specifically, the School has a legitimate interest in;

- Providing educational services to your child;
- Safeguarding and promoting the welfare of your child and other children;
- Promoting the objects and interests of the School. This includes fundraising.
- Facilitating the efficient operation of the School; and
- Ensuring that all relevant legal obligations of the School are complied with.

### Legal Obligation

Where the School needs to use your information in order to comply with a legal obligation, for example to report a concern to Children's Services. We may also have to disclose your information to 3<sup>rd</sup> parties such as the courts, the local authority or the police where legally obliged to do so.

### Vital Interests

To prevent serious harm or loss of life.

### Public Interest

The School considers that it is acting in the public interest when providing education.

## **Our legal grounds for using your information: Special Categories**

The School must comply with an additional condition where it processes special categories of personal information. These special categories are as follows; personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information, and information about sexual activity or orientation.

### Substantial public interest

The processing is necessary for reasons of substantial public interest.

### Vital interests

To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

### Legal claims

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.

### Medical purposes

This includes medical treatment and the management of healthcare services.

## **Our legal grounds for using your information: Consent**

We may ask for your consent to use your information in certain ways. If we ask for your consent to use your personal information you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid. Please speak to school's office if you would like to withdraw any given consent (Alice Rowse, Office Manager, Telephone: 01726 72163)

## **Sending information to other countries**

We may send your information to other countries where;

- We store information on computer servers based overseas; or
- We communicate with you or your child when you are overseas.

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here; [http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index\\_en.htm](http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm)

If the country that we are sending your information to is not on the list or, is not a country with the EEA then it might not have the same level of protection for personal information as there is in the UK.

## **How long do we keep your information?**

We keep your information for as long as we need to in order to education and look after your child. We will keep some information after your child has left the School in order to comply with our data retention policy which can be found on our Trust's website;

<http://peninsulatrust.org/policies/>

In exceptional circumstances we may keep your information for a longer time than usual (though not exceeding the schedule in our retention policy) but we would only do so if we had good reason and only if we are permitted to do so under data protection law.

## **What decisions can you make about your information?**

From May 2018, the General Data Protection Regulation gives you a number of rights regarding your information. Some of these are new rights whilst others build on your existing rights. Your rights are as follows;

- If information is incorrect you can ask us to correct it;
- You can also ask what information we hold about you and be provided with a copy. We will also give you extra information, such as why we use this information about you, where it came from and what types of people we have given access to;
- You can ask us to delete the information that we hold about you and we will comply where this doesn't affect our legal obligation or where the information is no longer needed.
- You can ask us to send you, or another organisation, certain types of information about you in a format that can be read by computer;

- Our use of information about you may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.

The designated Data Protection Officer named at the start of this document can give you more information about your data protection rights.

### **Further information and guidance**

The Data Protection Officer is the person responsible at our School for managing how we look after personal information and deciding how it is shared.

Like other organisations we need to keep your information safe, up to date, only use for what we said we would, destroy it when we no longer need it and most importantly – treat the information we get fairly.

This notice is to explain how we use your personal information. The Data Protection Officer can answer any questions which you may have.

Please speak to the School office if:

- You object to us using your information for marketing purposes e.g. to send you information about school events. We will stop using your information for marketing purposes if you tell us not to; or
- You would like us to update the information we hold about you; or
- You would prefer that certain information is kept confidential.

If you consider that we have not acted properly when using your personal information you can contact the Information Commissioner's Office; - <https://ico.org.uk/global/contact-us/>