

# Parent / Carer Data Privacy Notice

## The Rainbow Multi Academy Trust (MAT)



Approved by:	Sam Jones (CEO)	Date: 04/05/2018
Last reviewed on:	18/05/2018	
Next review due by:	03/05/2019	

Under data protection law, individuals have a right to be informed about how the MAT 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, The Rainbow Multi Academy Trust, Nexus, Trevu Road, Camborne, Cornwall, TR14 7AD, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Glyn Pascoe (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
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free MAT meals, or special educational needs
- 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 MAT

We may also hold data about pupils that we have received from other organisations, including other MATs, 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 progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

## Our legal basis for using this data

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)

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.

## Collecting this information

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 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.

## How we store this data

We keep personal information about pupils while they are attending our MAT. We may also keep it beyond their attendance at our MAT if this is necessary in order to comply with our legal obligations. Our record retention schedule sets out how long we keep information about pupils.

A copy of this schedule can be obtained from: [Information and Records Management Society's toolkit for schools](#).

## 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:

- Central government and our local authority – to meet our legal obligations to share certain information with it, 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 behavioral and social and emotional characteristics
- Police forces, courts, tribunals – to meet our legal obligations to share certain information with them, such as safeguarding

### **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 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 MATs, 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.

### **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**

Individuals have a right to make a '**subject access request**' to gain access to personal information that the MAT holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the MAT holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- 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 or your child
- 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

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact your schools data protection representative.

Parents, or those with parental responsibility, whilst there is no automatic legal right to free access to their child's educational record (which includes most information about a pupil) we will, within 15 school days of receipt of a written request provide the educational record. A small admin fee will be charged to undertake this task. To request access please contact the relevant school's DPR.

## Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including 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
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact your school's data protection representative (DPR).

## 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.

To make a complaint, please contact 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 in the first instance contact your school's **Data Protection Representative (DPR)** if you feel your concern has not been answered or an issue that needs to be escalated please contact our **Data Protection Officer (DPO)**

### Schools Data Protection Representative:

Penponds	Jo Woods	<a href="mailto:secretary@penponds.cornwall.sch.uk">secretary@penponds.cornwall.sch.uk</a>
St. Meriadoc Infant	Sam Hassett	<a href="mailto:shassett@st-meriadoc-inf.cornwall.sch.uk">shassett@st-meriadoc-inf.cornwall.sch.uk</a>
St. Meriadoc Junior	Lynn Stevenson	<a href="mailto:l Stevenson@st-meriadoc-inf.cornwall.sch.uk">l Stevenson@st-meriadoc-inf.cornwall.sch.uk</a>
Troon	Emma Mankee	<a href="mailto:emankee@troon.cornwall.sch.uk">emankee@troon.cornwall.sch.uk</a>

### Data Protection Officer:

Glyn Pascoe [dpo@ict4.co.uk](mailto:dpo@ict4.co.uk)