Be Your BEST
Believe - Excellence - Safe - Team

Data Privacy Notice - General

Policy Owner:	Head Teacher
Reviewed by SLT:	November 2023
Approved by Full Governing Board:	December 2023
Next Review:	Annually
Ratified By: Chair of Governors **Signed:**	 **Date:**

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Purpose of this document

The Pines School is a data controller and this document describes the data that is collected and how it is processed to data subjects other than pupils and workforce. As data controller, we are responsible for deciding what data is collected and how it is processed.

Under the Data Protection Act 2018 and the GDPR, we must abide by the principle of transparency and the right of data subjects to be informed about how their data is processed.

This document provides such information. It will be updated from time to time, and updates will be communicated to the relevant data subjects.

It is your duty to inform us of changes.

Categories of data subject, the data we collect and hold and why we use this data

Whilst the majority of personal information you provide to us is mandatory, some of it may be requested on a voluntary basis. In order to comply with UK-GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

The categories of other information that we collect, hold and share include:

Parents' and carers information

Parent or carers information is collected so that:

- We can communicate with you about your child in relation to things such as education and attainment, health and well-being, attendance and behaviour and emergencies (task in a public interest or legal obligation)
- Send you important information about the school (task in a public interest)
- Provide you with access to tools and services we use in schools such as parent payment systems, communication applications (task in a public interest or to fulfil a contract)

Data collected includes but not limited to:

- Name
- Address
- Contact information
- Relationship to the child
- Involvement with volunteer groups or parents association
- Driving licence, passport or other official documentation for identity verification

Where you have given us consent to do so we may send you marketing information via text or email promoting school events, campaigns or services that may be of interest to you. You can withdraw consent or opt-out of receiving these emails and/or texts at any time by clicking on the 'unsubscribe' link at the bottom of any such communication, or by contacting the school.

Visitor information

Visitor information is collected so that:

- We have a record of who is and has been in the building, for health, safety and operational purposes (legal obligation)
- We have a record of official visits, such as inspections or maintenance (task in a public interest)
- Where needed, Disclosure and Barring Service checks may take place (task in a public interest or legal obligation)

Data collected includes but not limited to:

- Name
- Associated business
- Purpose of visit
- Car registration
- Driving licence, passport or other official documentation for identity verification
- Disclosure and Barring Service check results

Volunteers' information

Visitor information is collected so that:

- We have a record of who is and has been in the building, for health, safety and operational purposes (task in a public interest)
- Disclosure and Barring Service checks may be carried out (task in a public interest or legal obligation
- We have a record of visits (task in a public interest)

Data collected includes but not limited to:

- Name
- Address
- Contact information
- Driving licence, passport or other official documentation for identity verification
- Disclosure and Barring Service check results

Governors' information

The personal data collected is essential, in order for the school to fulfil their official functions and meet legal requirements.

We collect and use governance information, for the following purposes:

- to meet the statutory duties placed upon us
- We can communicate with Governors on school business (task in a public interest)

- There is a public record of Governors and their business interests (task in a public interest)
- There is a record of Governor attendance (task in a public interest)
- There is a record of Governor training (task in a public interest)
- Disclosure and Barring Service checks can be carried out (task in a public interest or legal obligation

Data collected includes but not limited to:

- Name
- Address
- Contact information
- Date of Birth
- Business interests
- Financial interests
- Governor ID
- Governance roles in other schools
- Date of appointment and length of terms
- Driving licence, passport or other official documentation for identity verification
- Disclosure and Barring Service check results

All local authority maintained school governing bodies, under section 538 of the Education Act 1996 and academy trusts, under the Academies Financial Handbook academy trust handbook have a legal duty to provide the governance information as detailed above.

The lawful basis on which we process this information

We collect and process your information:

- Under Article 6 of the General Data Protection Regulation (GDPR), in accordance with the **Public Task** basis to fulfil our statutory function as a school, to perform our official function (public task); such as equal opportunities monitoring, for child protection purposes or where otherwise authorised by law, such as Departmental Censuses as required in the Education Act 1996;
- Under Article 9 of the General Data Protection Regulation (GDPR), where data is Classed as Special Category data, e.g. health etc Protection Regulation (GDPR) to carry out tasks in the public interest;
- In accordance with the **Vital Interests basis**- we will use personal data in a life or death situation;
- Where it is carried out as a task in the public interest, such as equal opportunities monitoring, for child protection purposes or where otherwise authorised by law, such as Departmental Censuses as required in the Education Act 1996.

- In accordance with the **Contract basis** - if we need to process the data to fulfil a contract with you or to assist you in entering into a contract with us;
- In accordance with the **Consent basis**- we will obtain consent from you to use your personal data;
- In accordance with the **Legitimate Interest** basis- where there is minimal privacy impact, and we have a compelling reason;
- To facilitate your attendance in schools, background checks from the Disclosure and Barring Service may be done which may involve the collection of criminal convictions; and
- In accordance with the **Legal Obligation basis**- we need to process the data to meet our responsibilities under certain laws.

- (Governance data) All local authority maintained school governing bodies, under section 538 of the Education Act 1996 and academy trusts, under the Academies Financial Handbook academy trust handbook have a legal duty to provide the governance information as detailed above.

Our basis for using **Special Category Data under Article 9** of the GDPR will only be when we have both a lawful basis as set out above and under the following legal grounds, in accordance with the Data Protection Act (2018), Schedule 1:

- Where we have obtained your explicit consent to use your data in a specific way;
- When we need to perform or exercise an obligation or right in relation to employment, social security or social protection law;
- When we need to protect an individual's vital interest(i.e protect your life or someone else's life) in situations where you are physically or legally incapable of giving your consent;
- Where the data concerned has already been made manifestly public by you;
- When we need to process it for the establishment, exercise or defence of legal claims;
- Where we need to process it for reasons of substantial interest as defined in legislation;
- When we need to process it for health or social care purposes and the processing is done by/or under the direction of a health or social care work professional or by any other person obliged to do so, confidentiality under law;
- Where we need to process it for public health reasons and the processing is done by/or under direction of a health or social care work professional or by any other person obliged to do so confidentiality under law; and
- Where we need to process it for archiving purposes, scientific or historical researching purposes or for statistical purposes and processing is in the public interest.

Where you have provided us with consent to process your data, you may withdraw this consent at any time. We will make this clear when requesting your consent and will explain how to withdraw your consent if you wish to do so.

Collecting this information

Whenever we seek to collect information from you, we will make it clear whether you must provide this information (and if so, the possible consequences of not complying) or whether you have a choice:

- **Parents:** whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this;
- **Visitors and volunteers:** As a visitor, the information that you provide to us is voluntary. However, we may restrict access to the school if the information is not provided; and
- **Governors:** Governance roles data is essential for the school, academy or academy trust's operational use. Whilst the majority of information you provide to us is mandatory (, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

Storing this information

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please contact the school office.

Who we share this information with

We do not share information about individuals with anyone without consent unless the law and our policies allow us to do so:

- **Parents:** we will share your information with members of staff, other agencies and, where you have agreed, to ensure the functioning of a contract, with third-party processors who provide services to the school;
- **Visitors and volunteers:** your information will not be shared unless requested by an external agency, in the course of a health and safety incident or in the investigation of a crime; and
- **Governors:** we will publish the names, business interests, financial interests and governance roles of governors on the school website. Governor information is also shared with the Local Authority and published on the DfE, Get Information About Schools portal.

The Department for Education

The Department for Education (DfE) collects personal data from educational providers and local authorities. We are required to share information about individuals in governance roles with the Department for Education (DfE), under:

Examples for governance information:

We are required to share information about our governance roles with the Department for Education (DfE) under section 538 of the Education Act 1996

All data is entered manually on the GIAS service and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current government security policy framework.

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

Your rights

You have rights associated with how your data is collected and processed. Not every right is absolute, but under certain circumstances, you can invoke the following rights:

- Right of access
- Right of erasure
- Right of rectification
- Right to object to processing
- Right to be informed
- Right to data portability
- Right not to be subject to decisions based on automated decision making
- Right to restrict processing
- Right to seek compensation for damages caused by a breach of the Data Protection regulations.

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office (ICO) at Information Commissioner's Office.

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the How Government uses your data'' section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data,

please let us know by contacting the Data Protection Officer (DPO) using the contact details on the front of this notice.

Concerns about how your personal data is handled

If you have any concerns about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance using the contact information on the first page of this document.

If you are dissatisfied, you can contact the Information Commissioner's Office at https://ico.org.uk/concerns/

How the government uses your data

The governance data that we lawfully share with the Department for Education (DfE) via GIAS will:

- increase the transparency of governance arrangements;
- enable local authority maintained schools, academies, academy trusts and the Department for Education (DfE) to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context; and
- allow the Department for Education (DfE) to be able to uniquely identify an individual and in a small number of cases conduct checks to confirm their suitability for this important and influential role.

Data collection requirements

To find out more about the requirements placed on us by the Department for Education (DfE), including the data that we share with them, go to https://www.gov.uk/government/news/national-database-of-governors

Some of these personal data items are not publicly available and are encrypted within the GIAS system. Access is restricted to authorised Department for Education (DfE) and education establishment users with a Department for Education (DfE) Sign-in account who need to see it in order to fulfil their official duties. The information is for internal purposes only and not shared beyond the Department for Education (DfE) unless the law allows it.

How to find out what personal information the Department for Education (DfE) hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data;
- for a description of the data they hold about you;
- the reasons they're holding it and any recipient it may be disclosed to; and
- for a copy of your personal data and any details of its source.

If you want to see the personal data held about you by the Department for Education (DfE), you should make a subject access request (SAR). Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

To contact DfE: https://www.gov.uk/contact-dfe

If you would like to discuss anything in this privacy notice, please contact:

Data Protection Officer: James England

Telephone: 0800 0862018

Email: dpo@dataprotection.education

If you would like a copy of any documentation please contact the school office:

Call: 01344 426413

Email: Admin@thepinesschool.org.uk