

# Privacy Notice – Notice for Parents and Carers – use of your child’s personal data

Reviewed: September 2021



*Privacy notice for parents/carers – use of their child’s personal information by the Russell Education Trust schools*

## 1. Introduction

This Russell Education Trust (‘the Trust’) Privacy Notice applies to all personal data held by the Trust as a multi-academy trust and by individual schools in the Trust.

The Trust aims to ensure that all personal data collected by the Trust and in its individual schools, is collected, stored and processed in accordance with the [General Data Protection Regulation \(EU\) 2016/679 \(GDPR\)](#) and the Data Protection Act 2018 (DPA 2018) .

Under data protection law, individuals have a right to be informed about how the Trust and its individual schools use 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 students at our schools.

The Russell Education Trust, Manor House, 1 The Crescent, Leatherhead, Surrey, KT22 8 is the ‘data controller’ for the purposes of data protection law.

Our data protection officer is: Jo Townsend (see ‘Contact us’ below).

## 2. The personal data we hold

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

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests and exams
- Student and curricular records
- Exclusion information
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers

We may also collect, use, store and share (where appropriate) information about your child that falls into “special categories” of more sensitive personal data. This includes but is not restricted to:

- Information about your characteristics, like your child’s ethnic background or any special educational needs
- Information about any medical conditions your child may have
- Photographs and CCTV images captured in school

## 3. Why we use this data

We use the data listed above to:

- Support student learning
- Monitor and report on student progress
- Provide appropriate pastoral care
- Protect student safety and welfare and the safety of others at the school site
- Assess the quality of our services
- Administer admissions processes and waiting lists
- Carry out research
- Comply with the law regarding data sharing

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## 3.2 Use of your child’s personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

## 4. Our lawful basis for using this data

We only collect and use your child’s personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation – this means we need to process the data to meet our responsibilities under law such as sharing information with the Department of Education and Local Education Authority.
- We need it to perform an official task in the public interest – this means we need to use your child’s data to fulfil our official duties
- We have obtained your consent to use it in a certain way - we will obtain your consent to use your child’s personal data in specific circumstances.
- We need to protect your child’s vital interests (or someone else’s interests) – this means in a life-or-death situation, such as a medical emergency.
- We have legitimate interests in processing the data where there is minimal privacy impact and we have a compelling reason to do so.

Where you have provided us with your consent to use your child’s information, you may take back this consent at any time. We will make this clear when requesting your consent and will explain how you would go about withdrawing your consent.

### 4.1 Our basis for using special category data

For ‘special category’ data (more sensitive personal information), we only collect and use it where we have both a lawful basis, as set out above and one of the following conditions for processing as set out in data protection law:

- We have obtained your specific and explicit consent to use your child’s information in a certain way
- We need to protect an individual’s vital interests (i.e. protect your life or someone else’s life), in situations where you’re physically or legally incapable of giving consent
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to process it for reasons of substantial public interest as defined in legislation.
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to use it for public health reasons and it is used by, or under the direction of a professional obliged to confidentiality under the law
- We need to use it for health or social care purposes and it is used by or under the direction of a professional obliged to confidentiality under the law
- We need to process it for archiving or for statistical purposes, and the processing is in the public interest.

Some of the reasons listed above for collecting and using your personal information overlap, and there may be several grounds, which justify our use of this data.

## 5. Collecting this information

While the majority of information we collect about students is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying or whether you have a choice

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Most of the data we hold about your child will come from you, but we may also hold data about you from others such as:

- Local authorities
- Government departments or agencies
- Other schools and colleges
- Police forces, courts, tribunals
- Medical professionals
- Your representatives
- Your family

## 6. How we store this data

We keep personal information about students while they are attending our schools. We may also keep it beyond their attendance at our schools if this is necessary.

Our Data Retention Schedule explains how long we will hold your child’s personal information. You can request this from the school.

We have security measures in place to prevent your child’s personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your child’s personal data securely when we no longer need it.

## 7. Data sharing

We do not share information about students 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 students with:

- Local authorities – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- Government departments and agencies such as The Department for Education (including the Education Skills Funding Agency and Regional Schools’ Commissioner) to meet the requirements under the Trust’s Funding Agreement to provide certain information on the educational provision of the Trust.
- Our youth support services provider – to provide appropriate educational and pastoral opportunities to students
- Careers service providers – to provide appropriate careers advice and opportunities to our students
- Inset day and trip providers – to provide appropriate educational and pastoral opportunities to our students
- The student’s family and representatives – to ensure that we can meet the educational and pastoral requirements of our students and their families or carers.
- Educators and examining bodies – to support the successful education of our students including the proper coordination of their examination entries.
- Our regulator e.g. Ofsted to meet our obligations under the legislative framework for the monitoring and evaluation and assessment of schools.
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as IT service providers
- Financial organisations such as our schools’ electronic payments provider – to meet our schools’ financial commitments and to ensure the effective working of its financial systems.
- Central and local government – to meet the requirements under the Trust’s Funding Agreement and other data collection requirements such as statistical and financial returns.

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- Our internal and external auditors - to meet our legal obligations to have our accounts audited in accordance with legislation.
- Survey and research organisations – to support the collation of data to support the improvement of education across the country.
- Health authorities – to meet our obligations to protect the welfare of our students. This includes sharing your child’s details with NHS Test and Trace/Public Health England, where necessary, in relation to Coronavirus (Covid 19).
- The School Nurse - to meet our obligations to protect the welfare of our students
- Security organisations – to ensure that our staff and students are as safe as possible and to meet our obligations and duties under legislation.
- Health and social welfare organisations– to meet our obligations to protect the welfare of our students.
- Professional advisers and consultants – to ensure that can meet the educational and pastoral requirements of our students.
- Charities and voluntary organisations – to ensure that can meet the educational and pastoral requirements of our students.
- Police forces, courts, tribunals – to meet our obligations to share certain information in accordance with legislation.
- Professional bodies to ensure that can meet the educational and pastoral requirements of our students.
- Other Russell Education Trust schools and the Trust’s central team to support the effective management and operation of our schools, for example to facilitate benchmarking exercises.

## National Pupil Database

We are required to provide information about students 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 webpage on [how it collects and shares research data](#). You can also [contact the Department for Education](#) with any further questions about the NPD.

### 7.1 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.

In cases where we have to set up safeguarding arrangements to complete the transfer, you can get a copy of these arrangements by contacting us.

## 8. Your rights

### 8.1 How to access personal information that we hold about your child

You have a right to make a ‘**subject access request**’ to gain access to personal information that we hold about your child.

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If you make a subject access request, and if we do hold information about your child, we will, (subject to any exemptions that apply):

- 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
- 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

You may also have a right for your child’s personal information to be transmitted electronically to another organisation in certain circumstances.

Once your child is able to understand their rights over their own data (generally considered to be age 12, but this is to be considered on a case-by-case basis), we will need to obtain consent from your child for you to make a subject access request on their behalf.

If you would like to make a request, please contact us (see ‘Contact us’ below).

## 8.2 Your right to access your child’s educational record

There is no automatic parental right of access to the educational record in academies and free schools. You should follow the process for subject access requests, detailed above, if you wish to access your child’s records.

## 8.3 Your other rights regarding your child’s data

Under data protection law, you may have certain rights regarding how your child’s personal data is used and kept safe, including the right to:

- Object to the use of your child’s personal data
- Prevent your child’s data being used to send direct marketing
- Object to and challenge the use of your child’s personal data for 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
- In certain circumstances be notified of a data breach
- Make a complaint to the Information Commissioner’s Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us (See ‘Contact us’ below)

Once your child is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), we will need to obtain consent from your child for you to make these requests on their behalf.

## 9. 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.

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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

### 10. 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**:

- **Data Protection Officer:** Jo Townsend
- **Email address:** [DPO@Russelleducationtrust.org.uk](mailto:DPO@Russelleducationtrust.org.uk)
- **Address:** Data Protection Officer, Russell Education Trust, Manor House, The Crescent, Leatherhead, Surrey, KT22 8DY. Please mark private and confidential for the attention of the Data Protection Officer.