

How We Use Your Information Privacy Notice for Parents

TEACH Poole

February 2023

Parent Privacy Notice

Introduction

We are TEACH Poole. TEACH Poole is referred to in this notice as the **academy trust** or **we**. This notice is to help you understand **how** and **why** the academy trust collects your personal data and what we do with that information. It also explains the decisions that you can make about your personal data. The academy trust is responsible for how your personal data is used under data protection law.

If you have any questions about this notice please contact the Data Protection Officer at info@handsam.co.uk or the TEACH Data Protection Manager, Hayley Hemmings on h.hemmings@teachpoole.com

What is "personal data"?

Personal data is information about you from which you can be identified (either directly or indirectly).

This includes your contact details, next of kin and financial information. CCTV images, photos and video recordings of you are also your personal data.

Where we get your personal data from and who we share it with

We obtain your personal data from a number of different sources. We get a lot of information from you e.g. when you complete an admission application and enrolment form.

We also get information from other sources such as our teachers, your child, your child's previous schools/nurseries, other members of your family, other pupils and their parents, as well as from people outside of the academy trust such as the local authority and health or education professionals.

We will also share information with these people and organisations where appropriate. For example, if you tell us about something which has happened at home, we might share this with the local authority to fulfil our legal and regulatory obligations.

The sections below contain further information about where we get your personal data from and who we might share it with.

The purposes for which we use your personal data and the lawful bases

We use your personal data in order to:

1. carry out our regulatory obligations and functions as an academy trust;
2. teach your child and our other pupils;
3. look after your child and others, such as, other pupils and staff;
4. enable us to comply with our legal obligations, to assist us regarding our management and operation, and to advance and protect our interests, objects and reputation; and
5. fundraise, market and promote the academy trust. For example, writing to you about fundraising for a new project.

Our lawful bases for using your personal data are as follows:

- **Public task:** This allows us to use your personal data where doing so is necessary in order to perform a task in the public interest, as set out in law, or to exercise one of our functions or powers as an academy trust. This basis applies to purposes 1, 2, 3 and 4 above. For example, we are performing a task in the public interest when we teach and look after your child.
- **Legal obligation:** We might need to use your personal data in order to comply with a legal obligation. For example, to report a concern about your child's wellbeing to Children's Services or in relation to inspections. Occasionally we may have a legal obligation to share your personal data with third parties such as the courts, local authorities and / or the police. There is more detail on this below.
- **Vital interests:** In limited circumstances, we may use your personal data to protect your vital interests or the vital interests of someone else. For example, to prevent someone from being seriously harmed or killed.
- **Legitimate interests:** This means that we are using your personal data where this is necessary for our legitimate interests or someone else's legitimate interests. Specifically, we have a legitimate interest promoting the academy trust including fundraising, publicity and preserving historical school records.
- **Contract:** We will need to use your information in order to perform our obligations under any contract that we have with you, and for you, to perform your obligations as well. For example, we would need your name and contact details to provide you with any tickets purchased for a school play. We may also rely on this basis where you have asked us to do something before entering into a contract with us.

The section below contains more information about our purposes for using your personal data and the lawful bases.

Our purposes and lawful bases in more detail

This section contains more detail about the purposes for which your personal data is used, the applicable lawful bases, where we get your personal data from and who we might share it with. It does not say anything different to what is set out above but goes into more detail.

We have also used a colour coded system so that you can see which bases we are relying on for each of the purposes described at paragraphs 1 to 38 below. **LI** means legitimate interests, **CT** means contract, **PI** means public task, **LO** means legal obligation and **VI** means vital interests. So **(LO, PI)** means we are relying on both legal obligation and public task for that purpose.

- 1 Our primary reason for using your personal data is to provide educational and pastoral services to your child **(PI)**.
- 2 We will use information about you in order to process your application for your child's admission to the academy trust. We obtain information about you from the admissions and enrolment forms and from your child's previous schools. We may also get information from professionals such as doctors and local authorities **(PI)**.

- 3 We may send you information before you accept a place for your child. For example, we may send you information about a transition day (PI).
- 4 We will have information about any family circumstances which might affect your child's welfare or happiness. This is to help us provide appropriate care and support to your child (PI).
- 5 We may use medical information about you if we need this to look after your child (PI).
- 6 We will need information about any court orders or criminal petitions which relate to you. This is so we can safeguard the welfare and wellbeing of your child and the other pupils at our schools (PI).
- 7 We may use your personal data in relation to keeping the academy trust safe from COVID-19. For example, we might record that you have tested positive for the virus (PI, VI). We have provided further information on how we use personal data in relation to COVID-19 outside of this privacy notice.
- 8 We will use your personal data to take other steps to make sure the school site and buildings are safe, for example, we keep a record of visitors to the school sites at any given time (PI, LO).
- 9 If there is a complaint or grievance made which involves you, then we will use your personal data in connection with that complaint or grievance (PI).
- 10 We may share information about you with the local authority for the purpose of the preparation, implementation and / or review of your child's Education and Health Care Plan (PI, LO).
- 11 Where appropriate, we will have information about your religious beliefs or other beliefs and practices. For example, if you do not eat certain foods (PI).
- 12 We will also hold information such as your religion or ethnic group, for the purposes of the DfE School Census.
- 13 We may use your personal data to help make our academy trust better, for example, to raise money (LI) or (PI) depending on the nature and context of our use of your personal data.
- 14 We may take photos or videos of you at our events to use on social media and on our website. This is to show prospective parents and pupils what we do here and to advertise the academy trust (PI). We may also use images of you to advertise our commercial activities, e.g. when we hire out our sports hall (LI). We may continue to use these photos and videos of you after your child has left their academy (LI) or (PI).
- 15 We will send you information to keep you up to date with what is happening at the academy trust. For example, by sending you information about events and activities taking place (including fundraising events) and the academy newsletter - (LI) or (PI) depending on the nature of the communication.
- 16 We will keep your contact details when your child leaves their academy as part of your child's record for admissions and attendance record purposes (LI).
- 17 We may use your personal data when ensuring network and information security, for example, our anti-virus software might scan files containing information about you (PI).

- 18 We monitor our pupils' use of the internet and email as part of our safeguarding duties. On occasion, this may involve your personal data, e.g. if you have sent your child a message to their academy email address (PI).
- 19 We also keep some information indefinitely for archiving purposes (this is known as "archiving in the public interest" under data protection law) and for historical research purposes.
- 19.1 This includes our legitimate interest in research; supporting long-term accountability; enabling the discovery and availability of our identity, memory, culture and history; enabling the establishment and maintenance of rights and obligations and of precedent decisions; educational purposes; and commercial and non-commercial re-use.
- 19.2 For example, we keep some old photos and videos so that we have a record of what our academies were like in the past. Information held in our archive may be made publicly available but this would only be done in compliance with data protection laws (LI).
- 20 We may use your personal data in connection with legal disputes, for example, we may have to disclose your personal data as part of court proceedings (PI, LI, LO).
- 21 We will process financial information about you in relation to the payment of things which you have bought from us e.g. tickets for events (LI, CI).

Sharing personal data with others

- 22 In accordance with our legal obligations, we will share information with local authorities, Education and Skills Funding Agency, Ofsted and the Department for Education. For example, where we have any safeguarding concerns or to comply with our other legal obligations. These organisations may also provide information to us for these purposes (LO, PI).
- 23 On occasion, we may need to share your personal data with the police for the prevention or detection of crime or the apprehension or prosecution of offenders. We will only do this in specific circumstances to assist the police with their investigations (LO, PI).
- 24 We may need to share information about you with the Health and Safety Executive (a government organisation) if there is a health and safety issue (LO, PI).
- 25 In certain circumstances, we may also need to share information with our legal advisers for the purpose of obtaining legal advice (PI).
- 26 Occasionally we may use consultants, experts and other advisors to assist us in fulfilling our obligations and to help run the academy trust properly (e.g. our accountants). We will share your personal data with them if this is relevant to their work (PI).
- 27 We are a charity which means that in exceptional circumstances we may need to share your information with the Education and Skills Funding Agency e.g. in the event of a serious incident (LO, PI).
- 28 We may share some information with our insurance company to make sure that we have the insurance cover that we need or in connection with an actual or possible claim (PI).

- 29 If the academy trust is dealing with a request for information, query, complaint or grievance (e.g. from another parent), we may need to share your personal data with other parties if it is relevant and appropriate to do so. For example, with the appropriate staff, pupil or parent involved (LI, PI).
- 30 If your child leaves us to attend another school we may provide that school with information about you. For example, details of family circumstances if there have been any safeguarding incidents (LO, PI).
- 31 We may share information about you with others in your family, such as another parent or step-parent. For example, to take care of your child or as part of our wider legal and regulatory obligations (PI).
- 32 We may need to share information if there is an emergency, for example, if you are hurt whilst on academy trust premises (PI, VI).
- 33 We will only share your personal data internally on a need to know basis. On occasion, this may involve sharing your personal data with staff at an academy in our academy trust which your child does not attend. For example, details of family circumstances so that we may fulfil our obligations towards your child and our other legal and regulatory obligations (LO, PI).
- 34 If your child has an Education and Health Care Plan (EHCP), we will share information with and obtain information from the local authority about you (LO, PI).
- 35 If ever in the future, we are considering restructuring the academy trust (by way of merger/transfer of an academy or otherwise), we may share your personal data with the other parties involved (such as the local authority, the Department for Education, the Education and Skills Funding Agency and/or the other academy trust/school(s) involved) and with the relevant professional advisors (LO, PI).
- 36 In the event of a transfer of the academy attended by your child to another academy trust, your personal data would be shared with the incoming academy trust as part of that process (PI).
- 37 Your personal data may be used by us (or by someone else such as the government or school inspectors) to check that the academy trust continues to operate well (LO, PI).
- 38 We will share your personal data with the trustees of the academy trust, and the local governors of the academy attended by your child, if it is something that they should be aware of, or the information will enable them to fulfil their role as trustee or local governor. For example, if there is a concern involving you or your child or something which affects the running of the academy trust (PI).

As you will see from the above, in some cases we will rely on more than one lawful basis for a particular use of your information.

We use service providers to handle personal data on our behalf for the following purposes:

- IT consultants who might access information about you when checking the security of our IT network;
- we use software, apps and websites to help us with teaching, and to help us provide pastoral support to our pupils. For example, we use a programme which allows us to record and store all pastoral issues.

- we use third party "cloud computing" services to store some information rather than the information being stored on academy trust sites.

If you have any questions about any of the above, please speak to the Data Protection Manager, Hayley Hemmings at h.hemmings@teachpoole.com or the Data Protection Officer at info@handsam.co.uk

Consent

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the lawful bases above (e.g. **LI** or **PI**). For example, we may ask for your consent to send you information about our fundraising projects by email.

If we ask for your consent to use your personal data you can take back this consent at any time. Any use of your personal data before you withdraw your consent remains valid.

You can speak to our Data Protection Manager, Hayley Hemmings, if you would like to withdraw any consent given.

Sending information to other countries

When the academy trust sends personal data outside of the UK, we have to consider if the other country has the same level of protection for personal data as there is in the UK. Some countries are considered by the UK Government to have adequate rules and this includes all of the European Economic Area and some other countries, such as, New Zealand, Argentina and Switzerland.

The academy trust sends your personal data to countries with adequate rules when we:

- store your personal data in cloud computer storage with servers in Europe; or
- store your personal details on educational systems, such as Lexia, DCPro and Montagu.

In certain circumstances, we may send your personal data to countries which do not have the same level of protection for personal data as there is in the UK. For example, we may:

- Store your personal data on SIMS (protected by Privacy Shield and/or ICO 27001)

We will provide you with additional details about where we are sending your personal data, whether the country has an adequacy finding, and if not the safeguards which we have in place outside of this privacy notice.

If you have any questions about the safeguards that are in place please contact the Data Protection Officer, Hayley Hemmings.

For how long do we keep your personal data?

We keep your personal data for as long as we need to in order to educate and look after your child. We will keep a lot of information after your child has left their academy, for example, so that we can find out what happened if you make a complaint.

In some cases, we may keep your personal data for a longer time than usual but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

Please see our Information and Records Retention Policy for more detailed information. This can be found on our website here www.teachpoole.com

What decisions can you make about your personal data?

Data protection legislation gives you a number of rights regarding your personal data. Your rights are as follows:

- **Correction:** if personal data we hold about you is incorrect or incomplete you can ask us to correct it.
- **Access:** you can also ask what personal data we hold about you and be provided with a copy. This is commonly known as making a subject access request. We will also give you extra information, such as why we use this information about you, where it came from and who we have sent it to.
- **Deletion:** you can ask us to delete the personal data that we hold about you in certain circumstances. For example, where we no longer need the personal data.
- **Portability:** you can request the transfer of your personal data to you or to a third party in a format that can be read by computer. This applies where (a) the personal data has been provided by you; (b) the basis that we are relying on to process your personal data is consent or contract (please see "Our purpose and lawful bases in more detail" above); and (c) the personal data is being processed by us on computer.
- **Restriction:** you can request that we restrict how we use your personal data in certain circumstances.
- **Object:** you may object to us using your personal data where:
 - we are using it for direct marketing purposes e.g. to send you an email about a fundraising opportunity;
 - the lawful basis on which we are relying is either legitimate interests or public task. Please see the section "The purposes for which we use your personal data and the lawful bases" above; and
 - if we ever use your personal data for scientific or historical research purposes or statistical purposes.

Some of these rights don't apply in all cases. For example, if you ask us to delete your personal data then in some cases we will not need to comply with your request.

The Data Protection Officer can give you more information about your data protection rights.

Further information and guidance

The Data Protection Manager is the person responsible at our academy trust for managing how we look after personal data and deciding how it is shared.

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

This privacy notice does not, and is not intended to, give you any rights which you did not already have. For example, it does not give you any contractual rights.

Please speak to the Data Protection Manager if:

- you would like to exercise any of your rights listed above; or

- you would like us to update the information we hold about you; or
- you would prefer that certain information is kept confidential. Please note that there will be occasions when your expectation of confidentiality is overridden by the academy trust's other obligations e.g. if we need to share information for safeguarding reasons.

If you fail to provide certain information when requested, we may not be able to perform our obligations under any contract we have entered into with you (e.g. for school play tickets). We may also be prevented from complying with our legal obligations (such as to ensure the welfare of your child and their classmates). Failing to provide information may also adversely affect the education and care we are able to provide to your child.

You have a right to lodge a complaint with the Information Commissioner's Office (ico.org.uk). If you do have any concerns about how we have handled your personal data we would kindly ask that you contact us in the first instance before you speak to the ICO so that we have an opportunity to put things right.

Our Data Protection Manager, Hayley Hemmings, can be contacted at h.hemmings@teachpoole.com

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