



Achieving together in faith

Holy Cross Catholic MAC

Privacy Notice for Parents and Pupils

2019/20

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| Responsible for policy | Martyn Alcott |
| Date of policy | September 2019 |
| Date approved by HCC MAC Board | 5 th September 2019 |
| Date of policy review | September 2020 |

Privacy Notice for Parents and Pupils How we use your information

1. Who are we?

Holy Cross Catholic MAC is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes. We are the data controller for the following schools within our Multi Academy Company: -

- Bishop Ullathorne Catholic School
- Cardinal Newman Catholic School
- Christ the King Catholic Primary School
- St Augustine's Catholic Primary School
- St Elizabeth's Catholic Primary School
- St John Vianney Catholic Primary School
- St Thomas More Catholic Primary School

You can contact Holy Cross Catholic MAC as the Data Controller in writing at:

Holy Cross Catholic MAC Head Office
C/O St Augustine's Catholic Primary School
Heathcote Street
Radford
Coventry
CV6 3BL

Or e-mail

admin@hcmac.co.uk

2. What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

3. What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

4. What personal information do we process about pupils and parents?

The pupil and parent information that we collect, hold and share includes:

- Personal information including a pupil's name, date of birth, unique pupil number and home address
- Characteristics such as ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information such as sessions attended, number of absences and absence reasons.
- Educational information including records of work, assessment results, relevant medical information, details of pupils' special educational needs, exclusions/behavioural information, post-16 learning information.
- Contact information for parents, carers and other relatives, including telephone numbers, home addresses and e-mail addresses.
- Information about a child's home life, where required as part of necessary safeguarding and welfare processes.

5. Why do we use personal information?

We use pupil data:

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

6. Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

7. What are the legal reasons for us to process your personal information?

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

a. To comply with the law

We collect and use general purpose pupil information in order to meet certain legal requirements and legal obligations placed upon the Academy Trust by law. We therefore are required to this process personal information for such purposes even if you have not consented to us doing so.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in **Table 1**.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the Academy Trust in writing.

b. To protect someone's vital interests

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in **Table 2**.

c. With the consent of the individual to whom that information 'belongs'

Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in **Table 3**.

d. To perform a public task

It is a day-to-day function of the Academy Trust to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that pupils are properly educated and supported

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in **Table 4**.

8. Special category personal information

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- a. Explicit consent of the data subject
- b. Processing relates to personal data which is manifestly made public by the data subject

- c. Necessary for establishing, exercising or defending legal claims
- d. Necessary for reasons of substantial public interest
- e. Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- f. Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of special category personal information data that we process is set out in the tables attached.

9. Data collection requirements:

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools> .

10. What do we do with your information?

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. The Academy Trust monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

11. How long do we keep your information for?

In retaining personal information, the Academy Trust complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the Academy Trust are required to retain the information.

A copy of those schedules can be located using the following link: <https://irms.org.uk/page/AcademiesToolkit>

12. 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.

13. What are your rights with respect of your personal information?

Under data protection law, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or to have access to your child's educational record, contact the School Data Protection Officer.

Our DPO is **the School DPO Service** and is contactable via schooldpo@warwickshire.gov.uk or alternatively;

School Data Protection Office
Warwickshire Legal Services

Warwickshire County Council
Shire Hall
Market Square
Warwick
CV34 4RL

****Please ensure you specify which school your request relates to.**

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern 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 at <https://ico.org.uk/concerns/>

14. Review

The content of this Privacy Notice will be reviewed annually.

Table 1 – Personal information we are required to process to comply with the law:

| Information Type | Relevant legislation | Special Category– additional lawful reason | Third Parties with whom we share the information | Lawful reason for sharing |
|-------------------------|---|---|---|----------------------------------|
| Pupil Full Name | The Education (information about Individual Pupils) (England) Regulations 2013 Regulation 3 (2) | n/a | School to which pupil has transferred | Legal Obligation, Public Task |
| Pupil Gender | The Education (information about Individual Pupils) (England) Regulations 2013 Regulation 3 (2) | n/a | School to which pupil has transferred | Legal Obligation, Public Task |
| Pupil Date of Birth | The Education (information about Individual Pupils) (England) Regulations 2013 Regulation 3 (2) | n/a | School to which pupil has transferred | Legal Obligation , Public Task |
| Home Address | The Education (information about Individual Pupils) (England) Regulations 2013 | n/a | School to which pupil has transferred | Legal Obligation, Public Task, |

| Information Type | Relevant legislation | Special Category– additional lawful reason | Third Parties with whom we share the information | Lawful reason for sharing |
|-----------------------------|---|---|--|------------------------------------|
| | Regulation 3 (2) | | | |
| First Language | The Education (information about Individual Pupils) (England) Regulations 2013 Regulation 3 (2) | n/a | School to which pupil has transferred | Legal Obligation, Public Task |
| Medical/Dietary/ Allergies | | Necessary for preventative or occupational medicine | Department for Education – school census. Other schools. School to which pupil has transferred | Legal Obligation & Vital Interest. |
| Date of Admission to school | The Education (information about Individual Pupils) (England) Regulations 2013 Regulation 3 (2) | n/a | Local Authority School to which pupil has transferred | Legal Obligation |

| Information Type | Relevant legislation | Special Category– additional lawful reason | Third Parties with whom we share the information | Lawful reason for sharing |
|---|---|---|--|----------------------------------|
| Last school attended – name and address | The Education (Pupil Information) (England) regulations 2005 Regulation 5 | n/a | Local Authority School to which pupil has transferred | Legal Obligation |
| National curriculum year group | The Education (information about Individual Pupils) (England) Regulations 2013 Regulation 3 (2) | n/a | Local Authority School to which pupil has transferred | Legal Obligation |
| Unique Pupil Number | | n/a | Local Authority School to which pupil has transferred | Legal Obligation |
| Eligibility for Free School Meals | The Education (information about Individual Pupils) (England) Regulations 2013 Regulation 3 (2) | n/a | Local Authority School to which pupil has transferred | Legal Obligation |
| Mode of travel to school | | n/a | Local Authority School to which pupil has transferred | Legal Obligation |

| Information Type | Relevant legislation | Special Category– additional lawful reason | Third Parties with whom we share the information | Lawful reason for sharing |
|--|---|---|--|----------------------------------|
| | | | | |
| Proficiency in English | | n/a | Local Authority School to which pupil has transferred | Legal Obligation |
| Safeguarding Information | Education Act 2002, section 175 Children’s Act 1989 Section 17,47,83 Children’s Act 2004 Section 11 | n/a | Local Authority School to which pupil has transferred | Legal Obligation |
| Whether a pupil is looked after and the Local Authority by whom the pupil is looked after | The Education (information about Individual Pupils) (England) Regulations 2013 Regulation 3 (2) | n/a | Local Authority School to which pupil has transferred | Legal Obligation |
| Where a pupil has been but is no longer looked after, the type of order resulting in them no longer being looked after | The Education (information about Individual Pupils) (England) Regulations 2013 Regulation 3 (2) | n/a | Local Authority School to which pupil has transferred | Legal Obligation |

| Information Type | Relevant legislation | Special Category– additional lawful reason | Third Parties with whom we share the information | Lawful reason for sharing |
|---|---|---|--|----------------------------------|
| Special Educational Needs status, start date, details of needs and provision | The Education (information about Individual Pupils) (England) Regulations 2013 Regulation 3 (2) | n/a | Local Authority School to which pupil has transferred | Legal Obligation |
| Admissions Register | Education (Pupil Registration) (England) Regulations 2006, Regulation 4, 10, 11, 14 and 15 | n/a | OFSTED, Local Authority | Legal Obligation |
| Details of exclusions: start and end dates, number of sessions, fixed length/permanent and reason for exclusion | The Education (information about Individual Pupils) (England) Regulations 2013 Regulation 3 (2) | n/a | Local Authority School to which pupil has transferred | Legal Obligation |
| Assessment date – end of key stage and Year 1 phonics screening | The Education (Pupil Information) (England) regulations 2005 | n/a | Local Authority School to which pupil has transferred | Legal Obligation |
| Educational Record | The Education (Pupil Information) (England) regulations 2005 | n/a | Local Authority School to which pupil has transferred | Legal Obligation |

| Information Type | Relevant legislation | Special Category– additional lawful reason | Third Parties with whom we share the information | Lawful reason for sharing |
|--|---|---|--|----------------------------------|
| Attendance records including whether absence was authorised/ unauthorised and reason for absence | The Education (information about Individual Pupils) (England) Regulations 2013 Regulation 3 (2) | n/a | Local Authority School to which pupil has transferred | Legal Obligation |
| School Census | Education Act 1996, Sections 537, & 537A and accompanying regulations | n/a | Department for Education | Legal Obligation |
| Parents' names and addresses | The Education (Pupil Information) (England) regulations 2006 Regulation 5 (1) (c) | n/a | Local Authority School to which pupil has transferred | Legal Obligation |
| Parents' telephone number (if pupil usually resides with them) | The Education (Pupil Information) (England) regulations 2006 Regulation 5 (1) (c) | n/a | Local Authority School to which pupil has transferred | Legal Obligation |
| Emergency Contact Details | Education (information about individual pupils) (England) Regulations 2013, Regulation 5. | n/a | Healthcare professionals or emergency services | Vital Interest |

| Information Type | Relevant legislation | Special Category– additional lawful reason | Third Parties with whom we share the information | Lawful reason for sharing |
|---|---|---|---|----------------------------------|
| Pupil assessment data (Curricular record) | The Education (Pupil Information) (England) Regulations 2005 Regulation 4 | n/a | Selected and approved third parties only. | Public Task |

Table 2 – Personal information we are required to process as it is necessary to protect someone’s vital interests

| Information Type | Special Category - additional lawful reason | Third Parties with whom we share the information | Lawful reason for sharing |
|---|---|---|--------------------------------------|
| Medical Information including allergies. | Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent | Emergency Services | Vital interests. |
| Safeguarding and promoting welfare of pupils. | n/a | Local Authority Police Health and Welfare Professionals | Legal Obligation and vital interest. |
| Religious Belief | Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent. | Medical staff i.e. paramedics/ambulance | Vital Interest |

Table 3 - Personal information we are required to process **with the consent** of the individual to whom that information ‘belongs’

| Information Type | Special Category - additional lawful reason | Third Parties with whom we share the information | Consent requirement |
|--|--|---|----------------------------|
| Pupil Full Name | n/a | School to which pupil has transferred | Consent required |
| Pupil Gender | n/a | School to which pupil has transferred | Consent required |
| Pupil Date of Birth | n/a | School to which pupil has transferred | Consent required |
| Home Address | n/a | School to which pupil has transferred | Consent required |
| First Language | n/a | School to which pupil has transferred | Consent required |
| Religion | Data Subject has given explicit consent | Local Authority School to which pupil has transferred Birmingham Diocesan Education Service | Consent required |
| Ethnicity | Data Subject has given explicit consent | Local Authority School to which pupil has transferred | Consent required |
| National Identity, Country of Birth, Nationality | n/a | Local Authority School to which pupil has transferred | Consent required |

| Information Type | Special Category - additional lawful reason | Third Parties with whom we share the information | Consent requirement |
|--|--|---|----------------------------|
| Parent contact details | n/a | School to which pupil has transferred | Consent required |
| Pupil Images (including video recordings) | n/a | Selected and approved third parties only. | Consent required |
| Parent name, date of birth, National Insurance Number, 30 hours eligibility code (Nursery) | n/a | School to which pupil has transferred | Consent required |

Table 4 - Personal information we are required to process because it is necessary to do so in order to perform a public task

| Information Type | Special Category - additional lawful reason | Third Parties with whom we share the information | Lawful reason for sharing |
|---|--|--|----------------------------------|
| Pupil information i.e. name, Parent detail, Emergency Contact details | n/a | School to which pupil has transferred | Legal Obligation |
| Academic Progress data | n/a | Local Authority CAPITA SISRA Herts for Learning Optimum Reports The PiXL Club Ltd | Public Task and Legal Obligation |

| Information Type | Special Category - additional lawful reason | Third Parties with whom we share the information | Lawful reason for sharing |
|---|---|---|----------------------------------|
| Safeguarding information, Medical, Special Education needs | Necessary for preventative or occupational medicine | Selected and approved third parties only. | Public Task & Legal Obligation |
| Educational and Safeguarding Information used internally for the purpose of educating and protecting the welfare of children. | n/a | Selected and approved third parties only. | Public Task & Legal Obligation |
| Dietary restrictions | Necessary for preventative or occupational medicine | Catering Contractor | Vital Interest |
| Medical information including allergies | Necessary for preventative or occupational medicine | Catering Contractor NHS Emergency Services | Vital Interest |