PRIVACY NOTICE FOR PARENTS / CARERS AND PUPILS

The Trust collects data and information about parents / carers and pupils so that we can operate effectively as a school. This privacy notice explains how and why we collect parent / carer and pupil data, what we do with it and what rights parents have.

St Mary's Catholic Primary School is a school within the Kent Catholic Schools' Partnership ("KCSP"), a multi-academy trust and is a charitable company limited by guarantee (registration number 08176019) whose registered office is Barham Court, Teston, Maidstone, Kent, ME18 5BZ. The Trust is the Data Controller for all the academies within the Trust.

The Data Protection Officer for KCSP can be contacted at dpo@kcsp.org.uk.

The term "parent" is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the pupil, with whom the pupil lives or whether the pupil has contact with that parent), and also includes non-parents who have parental responsibility for the pupil, or with whom the pupil lives. It is therefore possible for a pupil to have several "parents" for the purposes of education law. This privacy notice also covers other members of pupils' families who we may process data about from time to time, including, for example, siblings, aunts and uncles and grandparents.

1: DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says that the personal information we hold about you must be:

(a) Used lawfully, fairly and in a transparent way.

(b) Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.

(c) Relevant to the purposes we have told you about and limited only to those purposes.

(d) Accurate and kept up to date.

(e) Kept only as long as necessary for the purposes we have told you about.

(f) Kept securely.

2 : THE TYPE OF INFORMATION WE HOLD

Personal data, or personal information, means information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymised data).

We collect and use information under the following lawful bases:

a. where we have the consent of the data subject (Article 6 (a));

b. where it is necessary for compliance with a legal obligation (Article 6 (c));

c. where processing is necessary to protect the vital interests of the data subject or another person (Article 6(d));

d. where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6 (e)).

Where the personal data we collect about parents / carers is sensitive personal data, we will only process it where:

a. we have explicit consent;

b. processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and / or

c. processing is necessary for reasons of substantial public interest, on the basis of United Kingdom law which shall be proportionate to the aim pursued, where we respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Please see the Trust Data Protection Policy for a definition of sensitive personal data.

We use the parent / carer data to support our functions of running a school, in particular:

a. to decide who to admit to the school;
b. to maintain a waiting list;
c. to support pupil learning;
d. to monitor and report on pupil progress;
e. to provide appropriate pastoral care;
f. to assess the quality of our services;
g. to comply with the law regarding data sharing;
h. for the protection and welfare of pupils and others in the school, including our safeguarding / child protection obligations;
i. for the safe and orderly running of the school;
j. to promote the school;
k. k. to make sure our information and communication systems (e.g. school computers) are used appropriately, legally and safely
l. to send you communications that may be of interest to you which may include information about school events or activities, news, campaigns, appeals, other fundraising activities;
m. in order to respond to investigations from our regulators or to respond to complaints raised by our stakeholders;
n. in connection with any legal proceedings threatened or commenced against the school.

We will only use your personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and explain the legal basis which allows us to do so.
Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

3: THE CATEGORIES OF PARENT/CARER AND PUPIL INFORMATION

The categories of parent/carer and pupil information that we collect, hold and share include:

a. Personal information (such as name, address, telephone number and email address);

b. Information relating to your identity, marital status, employment status, religion, ethnicity, language, medical conditions, nationality, country of birth, identification documents, and free school meal / pupil premium eligibility / entitlement to certain benefits, information about court orders in place affecting parenting arrangements for pupils);

c: We also collect, use, store and share (when appropriate) pupil data which 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 school 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 school

From time to time and in certain circumstances, we might also process personal data about parents / carers, some of which might be sensitive personal data, information about criminal proceedings / convictions or information about child protection / safeguarding. This information is not routinely collected about parents / carers and is only likely to be processed by the school in specific circumstances relating to particular pupils, for example, if a child protection issue arises or if a parent / carer is involved in a criminal matter. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

d. While you're in our school, we may monitor your use of our information and communication systems, equipment and facilities (e.g. school computers) for filtering and monitoring purposes. We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies (e.g. child protection policy, IT acceptable use policy) and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s).

We collect information about parents / carers before pupils join the school and update it during pupils' time on the roll as and when new information is acquired.

We may also hold data about you that we have received from other organisations, including other schools and local authorities.

3a: Collecting parent / carer information

Whilst the majority of information about parents / carers and pupils provided 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 parent / carer information to us or if you have a choice in this. Where appropriate, we will ask parents / carers for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to ask your permission to use your information for marketing purposes or to request voluntary contributions. Parents / carers may withdraw consent given in these circumstances at any time.

In addition, the School also uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or to investigate other issues. CCTV footage involving parents / carers will only be processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.

3b: Storing parent / carer and pupil data

A significant amount of personal data is stored electronically, for example, on our database, SIMS. Some information may also be stored in hard copy format.

From time to time, data stored electronically may be saved on a cloud-based system which may be hosted in a different country.

Personal data may be transferred to other countries if, for example, we are arranging a school trip to a different country. Appropriate steps will be taken to keep the data secure, you can contact the DPO for more information on trips overseas and how data is kept secure.

We will only retain personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, insurance or reporting requirements.

Details of retention periods for different aspects of your personal information are available in the Trust Records Management Policy which is available on the School website and on the Trust website (www.kcsp.org.uk) . To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a parent / carer of a child at the school we will retain and securely destroy your personal information in accordance with the Trust Records Management Policy.

4: DATA SHARING

We routinely share parent / carer and pupil information with:

- Academies/schools or other educational institutes that pupils attend after leaving us;

From time to time, we may also share parent / carer and pupil information with other third parties including the following (this list is not exhaustive):

- Kent Catholic Schools' Partnership ('the Trust')
- school governors / trustees;
- our local authority Kent County Council or Medway Council;
- a pupil's home local authority (if different);
- the Department for Education (DfE);
- the Police and law enforcement agencies;
- NHS health professionals including the school nurse, educational psychologists,
- Education Welfare Officers;
- Courts, if ordered to do so;
- the Teaching Regulation Authority;
- Prevent teams in accordance with the Prevent Duty on academies;
- other academies, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances;
- Diocesan Officers at the Archdiocese of Southwark, including the Education Commission, for the purposes of receiving educational support;
- the school chaplain;
- UCAS
- our legal advisors;
- our insurance providers / the Risk Protection Arrangement
- Suppliers and service providers:
    - For example catering providers, filtering and monitoring systems, educational software systems.

Some of the organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.

In the event that we share personal data about parents / carers with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

Requesting access to personal data

Under data protection legislation, parents / carers have the right to request access to information about you that we hold ("Subject Access Request"). To make a request for your personal data, please contact the Data Protection Officer (dpo@kcsp.org.uk) although any written request for personal data will be treated as a Subject Access Request.

The legal timescales for the School to respond to a Subject Access Request is one calendar month. As the School has limited staff resources outside of term time, we encourage parents / carers to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. For further information about how we handle Subject Access Requests, please see the Trust Data Protection Policy.

Requesting access to your child's data

Parents / carers have a legal right to access their child's educational record. 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 children under the age of 13), or where the child has provided consent.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

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;
- in certain circumstances, be notified of a data breach;
- claim compensation for damages caused by a breach of our data protection responsibilities.

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply to these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task;
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests;
- Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't haven't the right to object, but you have the right to withdraw consent.

To exercise any of these rights, please contact the Data Protection Officer (dpo@kcsp.org.uk).

5. RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Headteacher. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

6. DATA PROTECTION OFFICER

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO at dpo@kcsp.org.uk. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

You can contact the Information Commissioners Office on 0303 123 1113 or via email https://ico.org.uk/global/contact-us/email/ or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

7. CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.