



## Privacy Notice for Parents and Carers (how we use your information)

### About us

Under UK data protection law, individuals have a right to be informed about how our school uses 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

We, at SMART, are a data controller for the purposes of UK Data Protection Law.

Our data protection officer is contactable via [lfoy@smart-trust.net](mailto:lfoy@smart-trust.net)

### The personal data we hold

We hold some personal information about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too – such as other schools, the local council and the government.

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

- Contact details and contact preferences (such as your name, address, email address and telephone numbers)
- Bank details
- Details of your family circumstances
- Details of any safeguarding information including court orders or professional involvement
- Records of your correspondence and contact with us
- Details of any complaints you have made
- Information about your use of our information and communication systems, equipment and facilities (e.g. school computers)

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

- Information about any health conditions you have that we need to be aware of
- Photographs and CCTV images captured in school

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

### Why we use this data

We use the data listed above to:

- a) Report to you on your child's attainment and progress
- b) Keep you informed about the running of the school (such as emergency closures) and events

- c) Process payments for school services and clubs
- d) Provide appropriate pastoral care
- e) Protect pupil welfare
- f) Administer admissions waiting lists
- g) Assess the quality of our services
- h) Carry out research
- i) Comply with our legal and statutory obligations
- j) Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely
- k) Provide you with marketing information about events or campaigns and charitable services (you have the right to withdraw consent opt out of these emails by contacting your child's school.

### **Use of your personal data in automated decision making and profiling**

We don't currently put parents and carers' personal data through any automated decision making or profiling process. This means we don't make decisions about you using only computers, without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

### **Use of your personal data for filtering and monitoring purposes**

While you're in school, we may monitor your use of our information and communication systems. We do this so that we can:

- Comply with health and safety law and other laws
- Comply with our policies (e.g. Safeguarding policy, IT Acceptable Use policy)
- Keep our network(s) and devices safe from people who aren't allowed to access them, and prevent harmful software from damaging our network(s)
- Protect your welfare

### **The lawful basis on which we use this information**

We will only collect and use your information when the law allows us to. We need to establish a 'lawful basis' to do this.

Our lawful bases for processing your personal information are:

For the purposes of supporting learning, monitoring progress, and meeting the statutory duties placed upon us by the DFE, in accordance with the 'public task' basis – we need to process data to fulfil our official duties as a school as set out here:

- Education Act 1996
- Education Act 2002
- Education (Information about Individual Pupils) (England) Regulations 2013
- GDPR UK

For the purposes of looking after your welfare, health and safety (safeguarding), in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:

- KCSIE 2024
- Health & Safety at Work 1974

- GPDR UK

For the purposes of providing catering services and in accordance with the “contract” basis – we need to process personal data to fulfil a contract in managing catering services and meeting the data processing needs of other third party service providers. We will process data to meet our responsibilities under law as set out here:

- GDPR UK

For the purposes of health and safety and safeguarding, in accordance with the ‘vital interests’ basis – we will process this personal data in a life-or-death situation

Where we're allowed to use your information ('given consent'), you may take this back at any time.

### **Our basis for using special category data**

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK data protection law:

- We have got your explicit consent to use your information in a certain way
- We need to use your information under employment, social security or social protection law
- 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
- The information has already been made obviously public by you
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation
- We need to use it for health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have got your consent to use it in a specific 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
- The data concerned has already been made obviously public by you
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

## **Collecting this data**

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

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

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Your children
- Police forces, courts or tribunals

## **How we store this data**

We keep personal information about you while your child is attending our school. We may also keep it beyond their attendance at our school if this is necessary. Our record retention schedule/records management protocols sets out how long we keep information about parents and carers.

Please contact the DPO if you need more information on record keeping and retention.

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

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

## **Who we share information with**

We do not share information about you 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 UK data protection law), we may share personal information about you with:

- Cornwall Council – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Government departments or agencies
- Our regulator, Ofsted
- Suppliers and service providers:
- Financial organisations
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

In addition, we also share data securely with third party software systems or service

providers:

- information management systems;
- online payments providers;
- cashless catering systems;
- safeguarding management and reporting systems.
- Online resource services such Classcharts/Schoolscomms/Satchel 1/Tassomai/MyMaths/Sparx/Seneca/SISRA/Insight Tracking (others as required)

### **Your Rights**

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may 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 the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

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

### **Your Other Rights**

Under data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your 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
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- 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).

### **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.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### **Contact us**

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact Data Protection Officer – Mr I Foy – [ifoy@smart-trust.net](mailto:ifoy@smart-trust.net)

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