



## 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.

This privacy notice explains how we collect, store and use personal data about **parents and carers of pupils at our schools**.

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 2025
- Health & Safety at Work 1974
- GPDR UK

For the purposes of complying with our policies in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:

- KCSIE 2025
- 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 including gender, employment, medical conditions), 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.

### **Biometric Data**

Parents/carers will be notified before any biometric recognition system is put in place or before their child first takes part in it. The school will get written consent from at least 1 parent or carer before we take any biometric data from their child and first process it.

Parents/carers and pupils have the right to choose not to use the school's biometric system(s). We will provide alternative means of accessing the relevant services for those pupils. For example, pupils can be allocated a pin number to use for cashless catering.

Parents/carers and pupils can withdraw consent, at any time, and we will make sure that any relevant data already captured is deleted.

As required by law, if a pupil refuses to participate in, or continue to participate in, the processing of their biometric data, we will not process that data irrespective of any consent given by the pupil's parent(s)/carer(s).

### **Photographs and videos**

As part of our school activities, we may take photographs and record images of individuals within our school.

## Primary schools / Nurseries

We will obtain written consent from parents/carers for photographs and videos to be taken of their child for communication, marketing and promotional materials. We will clearly explain how the photograph and/or video will be used to both the parent/carer and the pupil.

Any photographs and videos taken by parents/carers at school events for their own personal use are not covered by data protection legislation. However, we will ask that photos or videos with other pupils are not shared publicly on social media for safeguarding reasons, unless all the relevant parents/carers have agreed to this.

## Secondary schools

We will obtain written consent from parents/carers, or pupils aged 18 and over, for photographs and videos to be taken of pupils for communication, marketing and promotional materials.

Where we need parental consent, we will clearly explain how the photograph and/or video will be used to both the parent/carer and the pupil. Where we don't need parental consent, we will clearly explain to the pupil how the photograph and/or video will be used.

Any photographs and videos taken by parents/carers at school events for their own personal use are not covered by data protection legislation. However, we will ask that photos or videos with other pupils are not shared publicly on social media for safeguarding reasons, unless all the relevant parents/carers (or pupils where appropriate) have agreed to this.

Where the school takes photographs and videos, uses may include:

- Within school on notice boards and in school magazines, brochures, newsletters, etc.

- Outside of school by external agencies such as the school photographer, newspapers, campaigns

- Online on our school website or social media pages

Consent can be refused or withdrawn at any time. If consent is withdrawn, we will delete the photograph or video and not distribute it further.

When using photographs and videos in this way we will not accompany them with any other personal information about the child, to ensure they cannot be identified.

## **CCTV**

We use CCTV in various locations around the school sites to ensure it remains safe. We will follow the ICO Guidance for the use of CCTV, and comply with data protection principles.

### [CCTV and video surveillance | ICO](#)

We do not need to ask individuals' permission to use CCTV, but we make it clear where individuals are being recorded. Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use.

## **Storing and Retaining data – data protection**

We keep personal information about you while your child/children are attending our schools. We may also keep it after you stop attending our school, if this is necessary. For details on our retention policy please contact the school.

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, changed, or disclosed (given or told to someone else).

## **Data protection by design and default**

We put measures in place to show that we have integrated data protection in all of our data processing activities, including:

Appointing a DPO, and ensuring they have the necessary resources to fulfil their duties and maintain their expert knowledge

Only processing personal data that is necessary for each specific purpose of processing, and always in line with the data protection principles set out in relevant data protection law

The use of our data sharing application WONDE to provide necessary data sharing agreements to provide assurances on data protection from third party users of data.

At school administration level data protection impact assessment processes/forms are used where necessary to determine data handling needs/risks and apply appropriate measures when purchasing new technologies or considering the processing of high risk data such as special category data. We consider who is requesting the data, the purpose for which the data is required, the level and sensitivity of data (special category) and arrangements in place to store and handle the data. An example of this might include using a new third party data sharing service.

Regularly training members of staff on data protection law and guidance.

Where necessary putting appropriate safeguards in place if we transfer any personal data outside of the UK, where different data protection laws may apply

### **Data security and storage of records**

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

In particular:

Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal data, are kept safe when not in use

Papers containing confidential personal data must not be left on office and classroom desks, on staffroom tables, or left anywhere else where there is general access

Passwords are used to access school computers, laptops and other electronic devices. Staff and pupils are reminded that they should not reuse passwords from other sites

Staff, pupils or governors who store personal information on their personal devices are expected to follow the same security procedures as for school-owned equipment (see our policy on acceptable use)

Where we need to share personal data with a third party, we carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected

### **AI (Artificial Intelligence)**

Artificial intelligence (AI) tools are now widespread and easy to access. Staff, pupils and parents/carers are familiar with generative chatbots and other AI driven technologies. We recognise that AI has many benefits and uses in our schools to support learning and administration. However, its use can pose a data loss risk if not used and managed carefully. As with data held in electronic or paper form, the greatest risk is to confidential, sensitive and personal data.

To ensure that all confidential, personal and sensitive data remains secure, no staff/students will be permitted to enter such data into generative AI tools or chatbots.

### **Disposal of records**

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.

For example, we will shred or incinerate paper-based records (use of third party to manage confidential waste) and overwrite or delete electronic files. If we do so, we will require the third party to provide sufficient guarantees that it complies with data protection law.

### **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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