

London South East Academies Trust

Privacy Policy May 2018

Regarding the use of your child/ward's personal data

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1. Introduction

1.1 Under data protection law, individuals have a right to be informed about how the Multi-Academy Trust and its Trust Schools use any personal data that is held about them. We, London South East Multi Academy Trust, comply with this right by providing Privacy Notices to individuals where we are processing their personal data.

2. Document purpose

- 2.1 The purpose of this Privacy Notice is to explain how we, the Multi-Academy Trust and our Trust Schools, collect, store and use personal data about your child/ward.

3. Data controller and processors

- 3.1 Multi-Academy Trust is the Data Controller for the purposes of data protection law and therefore will determine the purposes for which personal data is processed (the 'why' and the 'how'). Your Trust School and other authorised 3rd parties, e.g. DfE ParentPay etc, will lawfully process and 'use' data on behalf of (under the supervision/control) the Multi-Academy Trust and are therefore Data Processors.

- 3.2 The postal address for London South East Multi Academy Trust is
London South East Multi Academy Trust
Rookery Lane
Bromley BR2 8HE

3.3 The Trusts Data Protection Officer is Jennifer Pharo and her contact details are at Section 17

3.4 The Multi-Academy Trust and its Trust Schools will ensure that your child/ward's personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

4. The categories of personal data we hold

4.1 We process data about the students who attend our Trust Schools.

Personal data that we may collect, use, store and share (when appropriate) about your child/ward includes, but is not restricted to:

- Personal information, including name, unique student number, address and contact details of parents/carers.
- Characteristics, such as ethnicity, language, nationality, country of birth and religion.
- Attendance information, such as sessions attended, number of absences and absence reasons.
- Information from social services, such as safeguarding information or care status.
- Test results, including National Curriculum assessment results (external) and Academy examination results (internal).
- Special educational needs information and free school meal eligibility.
- Any relevant medical conditions, including physical and mental health or any disabilities a student may have.
- Details of any behaviour issues or exclusion information.
- Details of any support received, including care packages, plans and support providers.
- Destinations of where your child/ward intends moving on to once they've left the Academy.
- Other, including Photographs, CCTV images captured in Trust Schools, Biometric data (in certain Trust Schools).

5. Why we use this data

5.1 We use this data to:

- Support student learning.
- Protect student welfare.
- Monitor and report on student progress.
- Provide appropriate pastoral care.
- Assess the quality of our services.
- Administer admissions waiting lists.
- Carry out education related research.
- Prevent and detect crime.
- Provide references for employment.

6. Our lawful basis for using this data

6.1 We will only collect and use your child/ward's personal data when the law allows us to.

Most commonly, we will process it where:

- We need to comply with a legal obligation.
- We need to perform an official task in the public interest (i.e. in order to provide child/ward with an education).

6.2 Less commonly we may also use your child/ward's personal data where:

- We have obtained consent to use it in a certain way.
- We need to protect the individual's health interests (or someone else's interest).

6.3 Where we have obtained consent to use child/ward's data, this consent can be withdrawn at any time.

We will make this clear when we ask for consent and explain how consent can be withdrawn.

6.4 Some of the reasons listed above for collecting and using your child/ward's personal data overlap, and there may be several grounds which justify our use of this data.

7. Collecting this information

7. Connecting this information

7.1 While the majority of information we collect about your child/ward is mandatory, there is some information that can be provided voluntarily. Whenever we seek to collect information from you or your child/ward, we will make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

7.2 We may also receive information from previous schools, the Local Authority(s) and/or the Department for Education (DfE). For children/wards enrolling post 14 years of age, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your child/ward's learning qualification.

8. How we store this data

8.1 We keep personal information about your child/ward while they are attending one of our Trust Schools.

We will also keep it beyond their attendance at one of our Trust Schools if this is necessary in order to comply with our legal obligations.

8.2 We have a Records Retention Policy, which sets out how long we must keep information about your child/ward. You can request a copy from your Academy if you want to understand the timelines in more detail.

9. Data sharing

9.1 We do not share personal information about your child/ward with any third party without consent unless the law and our policies allow us to do so.

9.2 Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about your child/ward with:

- The Local Authority - to meet our legal obligations to share certain information with it, such as concerns about student's safety and exclusions.
- The Department for Education (a government department) - to meet our legal obligations as part of data collections such as the School Census (more detail below).
- Your family or representatives - in case of emergencies such as a health matter.
- Follow on schools - which a student attends after leaving their current Academy in the public interest of delivering education.
- Youth Support Services - as it has legal responsibilities regarding the education or training of 13-19-year-olds.
- Educators and examining bodies - necessary for the performance of our education function.
- Our regulator, Ofsted - to enable it to evaluate the education we provide to your child/ward, which is in the public interest.
- Suppliers and service providers - to enable them to provide the service we have contracted them for.
- Health and social welfare organisations / third parties - to enable us to comply with our duty of care and statutory safeguarding duties for your child/ward's wellbeing, including:

- Therapists, clinical psychologists.
- Academy medical staff / nurse.
- School counsellors.
- CAMHS (Child and Adolescent Mental Health Service).
- Social care.
- Educational Welfare Officer (EWO).
- Police forces, courts, tribunals - to uphold law and order.

10. Department for Education

10.1 We are required to provide information about your child/ward to the Department for Education (a government department) as part of data collections, such as the school census.

To find out more about the student information we are required to share with the department, for the purpose of data collection, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools> or National Pupil Database.

10.2 Some of this information is then stored in the National Pupil Database, which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research. The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

10.3 The Department for Education may share information from the database with other organisations which promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use your data.

10.4 You can find more information about this on the Department for Education's webpage on how it collects and shares research data.

<https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>

10.5 You can also contact the Department for Education online via <https://www.gov.uk/contact-dfe> if you have any questions about the database.

11. Youth support services

11.1 Once your child/ward reaches the age of 13, we are legally required to pass on certain information about them to the local authority or youth support services provider in your area, as it has legal responsibilities regarding the education or training of 13-19 year-olds.

11.2 This information enables it to provide Youth Support Services, post-16 education and training services, and careers advice.

11.3 Parents/carers, or children once aged 16 or over, can contact their Academy Data Champion to ask to request that we only pass the student's name, address and date of birth to your local authority or Youth Support Services provider.

12. Transferring data internationally

12.1 Where we share data with an organisation that is based outside the European Economic Area, we will do so in accordance with data protection law.

12.2 This would only happen if one of the student's parents/carers lives abroad or if the child/ward intends moving to a new school abroad. If this happens we will be very careful to make sure that it is safe to transfer any student information. We will look at whether that other country has good data protection laws for example. If we cannot be sure that it is safe then we will talk to you, the child/ward's parent/carer, and make sure you are content for that information to be sent.

13. Photographs and media

13.1 As part of our Academy activities, we may take photographs and allow external organisations to take photographs or to film within our Trust Schools in line with our Photograph and Media Policy. Your child/ward will be made aware when this is happening and the context in which the photograph will be used.

13.2 An Academy will take photographs for its own use. Usually these will be unnamed and will generally be for internal Academy use, but may also include photographs for publication, such as:

- Photographs included in an Academy prospectus.
- Photographs to show as slides at an event for parents/carers.
- Photographs to be used on display boards, which can be seen by visitors to the school.
- Photographs posted on Academy official websites such as Twitter and Facebook sites.

Such sites can be accessed by the public and will therefore require close monitoring by Academy staff to ensure they are appropriate.

13.3 Named photographs will be used for internal use where there is a clear lawful basis for doing so e.g. for identification purposes such as a student, staff or visitor security pass, safeguarding requirements and as part of exclusion behaviour data.

13.4 For all other purposes, if an Academy wants to use named photographs then it will obtain specific parent/carer or student consent first. For students at Primary Trust Schools consent will be sought from parents/carers and at Secondary/Sixth Form Trust Schools this will most likely be student consent.

However, when student consent is sought then the parental wishes will be taken into account wherever possible.

14. CCTV

14.1 Trust Schools operate CCTV on their premises. This is considered necessary to protect staff and student's safety and Multi-Academy Trust property.

15. Parent, carer and student's rights

15.1 individuals have a right to make a Subject Access Request to gain access to the personal information that we hold about them.

15.2 Parents/carers can make a request with respect to their child/ward's data where the child/ward is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child/ward has provided consent for this.

15.3 Parents/carers also have the right to make a Subject Access Request with respect to any personal data the Academy holds about them.

15.4 If you make a Subject Access Request, and if we do hold information about you or your child, we will:

- 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 or your child.
- 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
- Provide the information to you within one month of being made aware of the Subject Access Request.

15.5 If you want to make a request please contact your Academy Data Champion in the first instance or ask your child/ward's tutor if you are unsure who this is. Other rights

15.6 Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress.
- Prevent it being used to send direct marketing.
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person).
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing.

15.7 To exercise any of these rights, please contact your Trust School Data Champion in the first instance or the Multi Academy Trust Data Protection Officer (contact details below).

16. Complaints

16.1 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.

16.2 To make a complaint please contact our Data Protection Officer.

16.3 Alternatively, you can make a complaint to the Information Commissioner's Office in one of the following ways:

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

17. Contact details

17.1 If you have any questions, concerns or would like more information about anything mentioned in this

Privacy Notice, please contact your Data Champion in the first instance or the Multi

Privacy Policy Academy Trust's Data Protection Officer, details below:
Jennifer Pharo at GDPR@lsec.ac.uk