



TyneCoast  
Academy Trust

# Privacy notice for parents and carers – use of your child’s personal data

**Approved by:** Tyne Coast Academy Trust Board

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## 1. Introduction

Under data protection law, individuals have a right to be informed about how our trust 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 **pupils**.

This privacy notice applies while we believe your child is not capable of understanding and exercising their own data protection rights.

Once your child is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), you should instead refer to our privacy notice for pupils to see what rights they have over their own personal data. This notice is available on both trust and individual academy websites, and on request from the relevant academy office.

Our trust, Tyne Coast Academy Trust, St Georges Avenue, South Shields, Tyne and Wear, NE34 6ET, 0191 4273577, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Miss C Pinkney (see 'Contact us' below).

## 2. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils 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
- Exclusion information
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers

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

- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Any medical conditions we need to be aware of, including physical and mental health
- Photographs and CCTV images captured in our academies

We may also hold data about your child that we have received from other organisations, including other schools/academies, local authorities including social services and the Department for Education.

## 3. Why we use this data

We use this data to:

- a) Support pupil learning
- b) Monitor and report on pupil progress
- c) Provide appropriate pastoral care
- d) Protect pupil welfare
- e) Assess the quality of our services
- f) Administer admissions waiting lists
- g) Carry out research
- h) Comply with the law regarding data sharing



### 3.1 Use of your child's personal data for marketing purposes

Where you have given us consent to do so, we may send your child marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to them.

You can withdraw consent or 'opt out' of receiving these emails or texts at any time by contacting us (see 'Contact us' below) or by clicking on the 'Unsubscribe' link at the bottom of any such communication.

### 3.2 Use of your child's personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

## 4. Our lawful basis for using this data

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need it to perform an official task in the public interest
- There is a legitimate interest
- We need to comply with a legal obligation

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)
- We need it to fulfill contractual obligations

Our lawful bases for processing your child's personal data for the purposes listed in section 3 above are as follows (some of the reasons for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data):

- For the purposes of a, b, c, d, e and f, in accordance with the 'public task' basis – we need to process data to fulfil our statutory function as a school
- For the purposes of a, b, c, d, e, f, g and h, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law.
- For the purposes of a and g, in accordance with the 'consent' basis – we will obtain consent from you to use your child's personal data
- For the purposes of d, in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation
- For the purposes of a, in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with your child or to help them enter into a contract with us
- For the purposes of a and g, in accordance with the 'legitimate interests' basis – where there's a minimal privacy impact and we have a compelling reason.

Where you have provided us with consent to use your child's data, you may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you would go about withdrawing consent if you wish to do so.

### 4.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your child's personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your child's 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 manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing 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 data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your child's 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 manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

## 5. Collecting this data

While the majority of information we collect about your child is compulsory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether providing it is compulsory or optional. If it is compulsory, we will explain the possible consequences of not complying.

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

- Local authorities
- Government departments or agencies
- Policy forces, courts, tribunals

## 6. How we store this data

We keep personal information about your child while they are attending our academy. We may also keep it beyond their attendance at our academy if this is necessary. Our Records management and retention policy sets out how long we keep information about pupils.

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

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

## 7. Who we share data with

We do not share information about pupils 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 data protection law) we may share personal information about your child with:

- A local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- Government departments or agencies
- Our youth support services provider
- Educators and examining bodies

- Our regulator [specify as appropriate, e.g. Ofsted, Independent Schools Inspectorate]
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- 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
- Professional bodies

## 7.1 National Pupil Database

We are required to provide information about pupils to the Department for Education (DfE) as part of statutory data collections such as the school census and early years census.

Some of this information is then stored in the National pupil database (NPD), <https://www.gov.uk/government/collections/national-pupil-database> which is owned and managed by the DfE and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The DfE may share information from the NPD with third parties, such as other organisations which promote children's education or wellbeing in England. These third parties must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

## 7.2 Transferring data internationally

We may share personal information about your child with international third parties outside of the European Economic Area, where different data protection legislation applies.

Where we transfer your child's personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

A list of third parties is available on request.

## 8. Your rights

### 8.1 How to access personal information that we hold about your child

You have the right to make a **'subject access request'** to gain access to personal information that we hold about your child.

If you make a subject access request, and if we do hold with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

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

You may also have the right for your child's 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).

## 8.2 Your other rights regarding your child's data

Under data protection law, you have certain rights regarding how your child's personal data is used and kept safe, for example the right to:

- Object to the use of your child's personal data
- Prevent your child's data being used to send direct marketing
- Object to and challenge the use of your child's 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 your child deleted or destroyed, or restrict its processing
- 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 section 10 for contact info).

Once your child is able to understand their rights over their own data (generally considered to be the age of 12, but this has to be considered on a case by case basis), we will need to obtain consent from your child for you to make these requests on their behalf.

## 9. 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/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## 10. Contact us

Our data protection officer is as follows:

- Miss C Pinkney, 0191 4273500, [data.protection@tynecoastacademytrust.co.uk](mailto:data.protection@tynecoastacademytrust.co.uk)

However, our **data protection representatives** have day to day responsibility for data protection issues in our academies. If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them at the relevant academy:

### Tyne Coast Academy Trust

Website - [www.tynecoastacademytrust.co.uk](http://www.tynecoastacademytrust.co.uk)

Telephone – 0191 4273500

Email – [data.protection@tynecoastacademytrust.co.uk](mailto:data.protection@tynecoastacademytrust.co.uk)

**Monkwearmouth Academy**

Telephone – 0191 9172300

Email – [data.protection@mwacademy.co.uk](mailto:data.protection@mwacademy.co.uk)

**North East Futures UTC**

Website – [www.nefutures.co.uk](http://www.nefutures.co.uk)

Telephone – 0191 9179888

Email – [data.protection@nefuturesutc.co.uk](mailto:data.protection@nefuturesutc.co.uk)

**Redby Primary Academy**

Telephone – 0191 5484040

Email – [data.protection@redbyacademy.co.uk](mailto:data.protection@redbyacademy.co.uk)

**Ridgeway Primary Academy**

Website – [www.ridgewayprimaryacademy.co.uk](http://www.ridgewayprimaryacademy.co.uk)

Telephone – 0191 4552865

Email – [data.protection@ridgeway.s-tyneside.sch.uk](mailto:data.protection@ridgeway.s-tyneside.sch.uk)

**Walker Riverside Academy**

Website – [www.walker.academy.co.uk](http://www.walker.academy.co.uk)

Telephone – 0191 2958660

Email – [data.protection@walker.academy.co.uk](mailto:data.protection@walker.academy.co.uk)

**11. Version control**

Version Number	Purpose/Change	Author	Approval	Date
1	Notice first developed, in line with changes to Data Protection Law	C.Pinkney, Operations Manager	Tyne Coast Academy Trust Board	18/10/2018
1.1	Notice updated to reflect further ICO/DfE guidance and provide additional clarification	C.Pinkney, Operations Manager	Tyne Coast Academy Trust Board	12/12/2019