



## Privacy Notice – Parents and Carers (Your child’s data)

Under UK data protection law, individuals have a right to be informed about how the 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 pupils at our school.

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.

We, The City of Leicester College, are the ‘data controller’ for the purposes of UK data protection law.

Our Data Protection Officer is **Lesley Bell** (see ‘Contact us’ below).

### **What data do we use**

Personal data that we may collect, use, store and share (when appropriate) about your child 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
- Details of external visits, including alternative provision, trips and work experience



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:

- Any health conditions we need to be aware of, including physical and mental health
- Photographs and video images captured in school by our Visitor Management System and CCTV network.
- Characteristics, such as ethnic background or special educational needs

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

## **Why we collect and use your data**

We use the data listed above to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with our legal and statutory obligations regarding data sharing

## **Use of your 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 and/or texts at any time by contacting the school office.

## **Use of your 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.



## **The lawful basis on which we process your data**

Our most common lawful basis for processing your child's personal data are as follows:

- In accordance with the 'public task' basis. We need to process data to fulfil our statutory function as a school. [GDPR Article 6(1)(e)]
- In accordance with the 'legal obligation' basis. We need to process data to meet our responsibilities under UK law. [GDPR Article 6(1)(c)]

Less commonly, we may also use your personal data in situations where:

- In accordance with the 'consent' basis. We will obtain consent to use your personal data. [GDPR Article 6(1)(a)]
- In accordance with the 'vital interest' basis. We will use your personal data in a life-or-death situation. [GDPR Article 6(1)(d)]
- In accordance with the 'contract' basis. We need to process data to fulfil a contract with you or to help you enter into a contract with us. [GDPR Article 6(1)(b)]
- In accordance with the 'legitimate interests' basis. [GDPR Article 6(1)(f)]

Where we you have provided us with consent to use your child's personal 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.

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

## **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 UK 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 UK 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

## **Collecting this data**

While the majority of information we collect about your child is mandatory, 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 mandatory or optional. If it is mandatory, 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 you from:

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

## **Storing this information**

We keep personal data about your child while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. We apply the data retention principles as set out in the [IRMS Information Management Toolkit for Schools](#).



We have put in place appropriate security measures to prevent your child's personal information 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.

## **Who we share data with**

We do not share information about your child 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 your child with:

- Leicester City Council Local Authority, including Connexions in order to comply with our legal obligations for statutory data returns such as safeguarding concerns, information about exclusions and School Census
- Other educators and examining bodies
- Government departments or agencies, including the Department for Education (DfE)
- Our youth support service providers
- OFSTED
- Suppliers and service providers, such as catering
- Leicestershire Partnership NHS Trust for delivery of child health services, such as inoculation programmes and school nurses. They also use information about pupils for data research and statistical purposes.
- Health and social welfare organisations
- Police forces, courts, tribunals
- Financial organisations
- Security organisations
- Auditors
- Survey and research organisations
- Charities and voluntary organisations

## **The National Pupil Database**

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census.

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



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 Department for Education 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.

To find out more about the pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

## **Transferring data internationally**

We may share personal data about your child with international third parties, where different data protection legislation applies, such as:

- Other schools or educational establishments
- Government departments or agencies
- Security organisations
- App or cloud server providers

Where we transfer your child's personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

## **Your rights**

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

You have a 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 information about your child, we will provide you with a copy of it (subject to any exemptions that may apply) 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).

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), we will need to obtain consent from your child for you to make a subject access request on their behalf.

### **Your right to access your child's educational record**

Parents, or those with parental responsibility, also have the right to access their child's educational record (which includes most information about a pupil). This right applies as long as the pupil is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or



another individual, or if it would mean releasing exam marks before they are officially announced.

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

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

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

- Object to our 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
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your child's 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).

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), we will need to obtain consent from your child for you to make these requests on their behalf.

## **Complaints**

We take complaints about our collection and use of personal data very seriously.

If you think that our collection or use of personal data is unfair, misleading or inappropriate, or have any concern about our data processing, please raise this with us in the first instance.

Alternatively you can contact the Information Commissioner's Office:

Report a concern online at: <https://ico.org.uk/make-a-complaint/>

Phone: 0303123 1113

Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.



## **Contact us**

If you would like to discuss anything in this privacy notice, please contact our

### **Data Protection Officer:**

Lesley Bell

Phone: 0116 241 3984

Email: [dpo@tcolc.aspirelp.uk](mailto:dpo@tcolc.aspirelp.uk)