



Education My Life Matters 'Success for Everyone'.

# Privacy notice for Pupils, Parents and Carers – use of your personal data July 2024 – July 2025

## 1. Introduction

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 pupils, parents and carers of pupils at our school.

We, Education My Life Matters (EMLM), are the 'data controller' for the purposes of data protection law.

Our **Data Protection Officer is Candice Laidley.**

## 2. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils, parents and carers includes, but is not restricted to:

- Contact details and contact preferences, (such as pupil name, address, parental/carer email address and telephone numbers)
- Curricular records
- Results of internal assessments and external examinations
- Characteristics, such as ethnic background, eligibility for Free School Meals (FSM) or special educational needs
- Safeguarding information including court orders or professional involvement
- Attendance information
- 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 is only used when we have a lawful basis, as set out above and 1 of the following conditions for processing as set out in UK data protection law:

- Information about any health conditions you have that we need to be aware of
- Photographs and CCTV images captured in school
- Explicit consent has been obtained to use your personal data in a certain way
- Information in relation to employment, social security or social protection law
- 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 manifestly public by you
- Process data for 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 for health or social care purposes, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- 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.

### 3. Why we use this data

We use this data to:

- a) Report about a pupils learning, assessments and progress
- b) Keep you informed about the running of the school (such as emergency closures) and events
- c) Provide appropriate pastoral care
- d) Protect pupil welfare
- e) Assess the quality of our services
- f) Promote the school (via newsletters, website, with appropriate consent)
- g) Comply with our legal and statutory obligations
- h) Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely

#### 3.1 Use of personal data in automated decision making and profiling

We do not currently process any parents' or carers' 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 parental/carers right to object to it.

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

While you are at EMLM, we may monitor your use of our information and communication systems, equipment and facilities (e.g. school computers). We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies (e.g. child protection policy, IT acceptable use policy) and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)

### 4. Our legal 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 to comply with a legal obligation
- We need it to perform an official task in the public interest (in our case education of young people)

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)

Where we have obtained consent to use pupil's personal data, this 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 pupils' personal data overlap, and there may be several grounds which justify our use of this data.

## 5. Collecting this information

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

Whenever we seek to collect information from our parents/carers about their child, 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

## 6. How we store this data

We keep personal information about our learners while they are attending EMLM, in both electronic and paper formats. When the learners move to a new School, we send the information to the learners' new School. We may also keep it beyond their attendance at our School if this is necessary in order to comply with our legal obligations. All stored data is kept according to the Records Management Society's Retention Guidelines for Schools and destroyed after the appropriate interval, usually the 25<sup>th</sup> birthday of that pupil.

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.

## 7. Who will see this personal data?

We do not share information about any pupil 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 pupils with:

- Our local authority -Lewisham – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- The Department for Education – to satisfy our legal requirements to report to them
- National Pupil Database – as part of statutory data collections such as the School Census

- Changing Schools – we pass pupil information onto schools/colleges the your child transfers to after leaving us as per <https://www.legislation.gov.uk/ukxi/2005/1437/regulation/9/made>
- Our regulators e.g. Ofsted, Auditors
- Suppliers and service providers -to enable them to provide the service we have contracted them for
- Health authorities -as is requirement by them to support in the administration of healthcare programmes
- Social welfare organisations - to enable them to provide the support/services we have contacted them for
- Charities and voluntary organisations -as is required by them to deliver curricular lessons
- Police forces, courts, tribunals-in accordance with legal requests made by them

## 8. Parent, Carers and Pupils' rights regarding personal data

The General Data Protection Regulations and associated Data Protection Act 2018 allow parents and pupils the right to access the information that a school holds about them. Additionally, the Education Act 1996 allows parent's the right to access most of their child's educational records. Individuals have a right to make a '**subject access request**' to gain access to personal information that the School holds about them.

Parents/carers can make a request 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.

To make a request for information' please use the contact details that can be found at the end of this notice.

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

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

### Other rights regarding your data

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

- Object to our 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
- Withdraw their consent, where previously provided for the collection, processing and transfer of their personal data for a specific purpose
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact the Data Protection Officer.

## 9. CCTV

EMLM uses Closed Circuit Television cameras for the purposes of monitoring our premises. There are visible signs showing that CCTV is in operation and images from this system are securely stored where only a limited number of authorised persons may have access to them. We may be required to disclose CCTV images to authorised third parties such as the police to assist with crime prevention or at the behest of a court order.

## 10. 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. Please contact our Data Protection Officer.

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

## 10. Contact us

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer** at [c.laidley@emlm.org.uk](mailto:c.laidley@emlm.org.uk).