Truro and Penwith Academy Trust

Fair Processing Policy

The following policy applies to all Truro & Penwith Academy Trust Schools:

Alverton Primary School
Berrycoombe Primary School
Blackwater C.P. School
Bodriggy Academy
Cape Cornwall School
Cardinham School
Chacewater Primary School
Gulval School
Hayle Academy
Kehelland Village School
Kennall Vale School
Lanivet Community Primary School
Liskeard Hillfort School
Mithian School
Mousehole Primary School
Nancledra School
Newlyn School
Pendeen School
Pensans C.P. School
Perranporth C.P. School
Roche C.P. School
Sennen Primary School
St Dennis Primary Academy
St Erth School
St Ives School
St Just Primary School
Threemilestone School
Tywardreath School

DATE APPROVED BY TPAT Board of Trustees: 19th January 2021
DATE FOR REVIEW: January 2023

TRURO AND PENWITH MULTI ACADEMY TRUST

FAIR PROCESSING NOTICE

This policy is to let you know how Truro & Penwith Academy Trust ('the Trust', 'we', 'us' or 'our') will collect, use and process personal data. It is also designed to let you know your rights and what you can do if you have questions about personal data.

The Trust is the controller for the purposes of data protection laws.

This document sets out the types of personal data (meaning information about an individual from which that individual can be personally identified) we handle, the purposes of handling those personal data and any recipients of it.

1 OUR DETAILS

Truro & Penwith Academy Trust, a company registered in England and Wales (company number 0888041) whose registered office is at Academy House, Truro Business Park, Threemilestone, Truro TR4 9LD.

We are registered as a controller with the Information Commissioner's Office under registration number ZA050487.

Our Data Protection Officer is Judy Brinson and their contact details are:

Director of Business and Finance (TPAT),
Academy House,
Truro Business Park,
Threemilestone,
Truro
TR4 9LD.

Email: admin@tpacademytrust.org
Website: http://www.tpacademytrust.org/

2 WHY WE COLLECT DATA

We collect and hold personal information relating to our pupils and may also receive information about them from their previous schools, the Local Authority, Department for Education (DfE) and other bodies linked to their education, development and welfare. We may also share Personal data with other agencies as necessary under our legal duties or otherwise in accordance with our duties/obligations as a school.

Whilst the majority of pupil information we are provided with or collect is mandatory, some of it is provided to us on a voluntary basis. We will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Below are set out the reasons why we collect and process personal data, as well as the legal basis on which we carry out this processing:

- **to support our pupils' learning**: we will process personal data to help every child achieve his or her potential in all areas of learning and to promote excellence in our teaching and learning environment. This may include making use of class room apps which will involve sharing some basic personal data such as first name and second name and class

- **monitor and report on their progress**: we will process personal data to record pupils' progress to help set and monitor targets and boost achievements and aspirations of all pupils.

- **provide appropriate pastoral care**: we will process personal data to ensure that all pupils are properly supported in their time with us. We will process data to help staff understand and respond to the unique circumstances of all pupils.

- **provide appropriate medical care**: in order to protect pupils and provide emergency support or immediate medical support we process data relating to matters such as medical reports and medication

- **assess the quality of our services**: we will process personal data so that we may reflect on our own practices to help us improve and provide the highest quality education that we can to all pupils.

- **to ensure proper management of school trips and afterschool clubs and activities**: when pupils and parents participate in school trips and afterschool clubs and activities personal data will need to be processed.

- **to promote and protect health and safety**: in order to protect pupils, parents and staff in their involvement at the school, we must process personal data relating to matters such as incidents and responses to incidents.

- **for employment purposes**: to assist in the running of the Trust and to enable individuals to be paid, we will process personal data of those employed to teach or otherwise engaged to work at the Trust.

3 LEGAL BASIS FOR PROCESSING

The lawful basis for us to collect/process this personal data is in order to provide education in accordance with statute law (such as the Education Act 1996 and other legislation), our funding agreements with the Secretary of State, our memorandum and articles of association and other guidance provided for in law.

In addition, personal data will be collected and/or processed for the purposes of relevant contracts for the provision of services which are paid for. This may include but is not limited to:

- The provision of music tuition;

- School trips;

- Entering students for examinations.

We do not process any special categories of personal data except where necessary for reasons of substantial public interest in complying with legal obligations including under the Equality Act 2010 or where necessary to protect the vital interests of the data subject or of another natural person and where safeguards are in place to ensure that this personal data is kept secure. For the avoidance of doubt where special categories of personal data are collected it shall not be used for the purposes of automated decision making and/or profiling.

Special categories of data mean personal data revealing:

- racial or ethnic origin;

- political opinions; religious or philosophical beliefs or trade union membership;

- genetic or biometric data that uniquely identifies you;

- data concerning your health, sex life or sexual orientation; or
- data relating to criminal convictions or offences or related security measures.
- Further personal data including special categories of personal data may be collected and/or processed where consent has been given (for example, school photographs for non-educational purposes). If consent has been given, then this may be revoked in which case the personal data will no longer be collected/processed.

4 CATEGORIES OF INFORMATION WE COLLECT

We may collect the following types of personal data (please note this list does not include every type of personal data and may be updated from time to time):

- contact details;
- date of birth;
- health and/or other medical information;
- information in connection with education (included but not limited to unique pupil numbers, test results, pre and post 16 learning information and other records);
- attendance information;
- behavioural and disciplinary information;
- free school meal eligibility;
- information received in connection with any complaint;
- information required for employment purposes, such as:
    - National Insurance numbers;
    - remuneration details;
    - qualifications;
- personal characteristics of pupils, such as:
    - their nationality and ethnic group;
    - their religion;
    - their first-language;
    - any special educational needs they may have;
    - any relevant protected characteristics;
    - relevant primary carer information.

5 WHO WILL HAVE ACCESS TO YOUR DATA

Personal data will be accessible by members of staff. Where necessary, volunteers and governors will also have access to personal data.

We will not share information about our pupils with third parties without consent unless we are required to do so by law or our policies. We will disclose personal data to third parties:

- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation; for example, we share pupils' personal data with the Department for Education on a statutory basis;

- in order to enforce any agreements with you;

- to protect the rights, property, or safety of the Trust, the school, other pupils or others. This includes exchanging information with other organisations for the purposes of child welfare.

- We will share data with other organisations (such as the NHS) pursuant to data sharing agreement for the purposes of supporting immunisations.

This may include our Local Authority, the Department for Education, the Police and other organisations where necessary; for example, for the purposes of organising a school trip or otherwise enabling students to access services or for the purposes of examination entry. Information may also be sent to other schools where necessary; for example, schools that pupils attend after leaving us.

6 HOW DATA WILL BE PROCESSED

Personal data may be processed in a variety of ways; this will include but is not limited to:

- sending by e-mail;

- sending by post;

- adding to spreadsheets, word documents or similar for the purposes of assessing personal data;

- for educational software use (this could be for the purposes of helping children learn, discipline, reports and other educational purposes).

- School information management systems

7 WHERE WE STORE DATA AND HOW WE KEEP DATA SECURE

Paper copies of personal data are kept securely at the school; for example, in secure filing cabinets.

Electronic copies of personal data are kept securely, and information will only be processed where we are satisfied that it is reasonably secure.

All information you provide to us is stored on secure servers. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our website, you are responsible for keeping this password confidential. You must not share your password with anyone.

When giving personal data to third parties (for example, software providers) it is possible that this personal data could be stored in a location outside of the European Economic Area. We will take all steps reasonably necessary to ensure that your personal data is treated securely and in accordance with this privacy policy. In particular, any transfer of your personal data made by us to a location outside of the EEA will be governed by clauses in a written contract in order to keep these secure. The Trust is awaiting further guidance in respect of the exact legal position since the United Kingdom has left the European Union but the Trust will continue to observe all the requirements of the Data Protection Act 2018.

8 RETENTION PERIODS

We will only retain personal data for as long as is necessary to achieve the purposes for which they were originally collected. As a general rule, personal data will be kept for the entire period that a child is a pupil at the school. Other records (for example, safeguarding or in relation to special educational needs) will be kept for longer in accordance with guidance from the Local Authority. Further information on retention periods can be obtained by contacting us via the details in Section 1 of this Notice.

9 YOUR DATA RIGHTS

The General Data Protection Regulation and associated law gives you rights in relation to personal data held about you and your child. These are:

- **Right of Access**: if your personal data is held by the Trust, you are entitled to access your personal data (unless an exception applies) by submitting a written request. We will aim to respond to that request within one month. If responding to your request will take longer than a month, or we consider that an exception applies, then we will let you know. You are entitled to access the personal data described in Section 10.

- **Right of Rectification**: you have the right to require us to rectify any inaccurate personal data we hold about you. You also have the right to have incomplete personal data we hold about you completed. If you have any concerns about the accuracy of personal data that we hold then please contact us.

- **Right to Restriction**: you have the right to restrict the manner in which we can process personal data where:

    - the accuracy of the personal data is being contested by you;

    - the processing of your personal data is unlawful, but you do not want the relevant personal data to be erased; or

    - we no longer need to process your personal data for the agreed purposes, but you want to preserve your personal data for the establishment, exercise or defence of legal claims.

  Where any exercise by you of your right to restriction determines that our processing of personal data are to be restricted, we will then only process the relevant personal data in accordance with your consent and, in addition, for storage purposes and for the purpose of legal claims.

- **Right to Erasure**: You have the right to require we erase your personal data which we are processing where <u>one</u> of the following grounds applies:

    - the processing is no longer necessary in relation to the purposes for which your personal data were collected or otherwise processed;

    - our processing of your personal data is based on your consent, you have subsequently withdrawn that consent and there is no other legal ground we can use to process your personal data;

    - the personal data have been unlawfully processed; and

    - the erasure is required for compliance with a law to which we are subject.

- **Right to Data Portability**: you have the right to receive your personal data in a format that can be transferred. We will normally supply personal data in the form of e-mails or other mainstream software files. If you want to receive your personal data which you have provided to us in a structured, commonly used and machine-readable format, please contact us via the details in Section 1 of this Notice.

You can find out more about the way these rights work from the website of the Information Commissioner's Office (ICO).

10 REQUESTING YOUR DATA

Where the Trust holds personal data concerning you, you are entitled to access that personal data and the following information (unless an exception applies):

- a copy of the personal data we hold concerning you, provided by the Trust;

- details of why we hold that personal data;
- details of the categories of that personal data;
- details of the envisaged period for which that personal data will be stored, if possible;
- information as to the source of personal data where that personal data was not collected from you personally.

If you want to receive a copy of the information about your son/daughter that we hold, please contact us via the details in Section 1 of this Notice.

11 MAKING A COMPLAINT

If you are unhappy with the way we have dealt with any of your concerns, you can make a complaint to the ICO, the supervisory authority for data protection issues in England and Wales. We would recommend that you complain to us in the first instance, but if you wish to contact the ICO you can do so using the contact details below. The ICO is a wholly independent regulator established in order to enforce data protection law.

ICO Concerns website: www.ico.org.uk/concerns

ICO Helpline: 0303 123 1113

ICO Email: casework@ico.org.uk

ICO Postal Address: Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

12 CHANGES TO THIS NOTICE

Any changes we make to this notice in the future will be posted on our website and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes.

This privacy policy was last updated on 19/01/2021.