

How We Use Your Information Privacy Notice for Parents

Independent School for Boys and Girls

Focus School Wilton Campus

April 2018



Parent Privacy Notice

Introduction

This notice is to help you understand **how** and **why** we collect personal information about you and **what** we do with that information. It also explains the decisions that you can make about your own information.

The School is affiliated to Focus Learning Trust (the Trust). The School is "Wessex Schools Trust operating as Focus School - Wilton Campus of The Hollows, Wilton, Salisbury SP2 OJE". The School and the Trust work closely together which means that the School and the Trust share a lot of personal information about staff, pupils and parents. References below to "we", "us" and "our" are references to both the School and the Trust. To use data protection terminology, both the School and the Trust are a "controller" of the personal information held about you. Further information on the Trust can be found on its website here: www.focus-school.com

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If you have any questions about this notice please contact the Data Protection Lead.

What is "personal information"?

Personal information is information that identifies you as an individual and relates to you.

This includes your contact details, next of kin and financial information. We will also hold information such as your ethnic group.]

Our legal bases for using your information

This section contains information about the legal bases that we are relying on when handling your information.

The two tables below contain a general description of the different legal bases but we have also used a colour code system so that you can see which bases we are relying on for each of the purposes described at paragraphs 1 to 30 below.

Legitimate interests ("L")

This means that we use your information when this is necessary for our legitimate interests except when your interests and fundamental rights override our legitimate interests.

Specifically, we have a legitimate interest in:

- providing educational services to your child and to other children;
- safeguarding and promoting the welfare of your child, other children and our employees;
- promoting our objects and interests. This includes fundraising and using photographs of you at our school events in promotional material. It also includes making sure that we are able to enforce our rights against you, for example, so that we can contact you if unpaid school fees are due;
- keeping the school buildings safe;
- using your information in connection with legal disputes. For example, if you or your child bring a claim against the School;

- protecting our reputation;
- facilitating the efficient operation of the School and the Trust; and
- ensuring that all relevant legal obligations of the School and the Trust are complied with (for example in relation to inspections).

In addition your personal information may be processed for the legitimate interests of others. For example another school will have a legitimate interest in knowing if you have not paid School fees that are due to us.

Necessary for contract ("CT")

We will need to use your information in order to perform our obligations under our contract with you and for you to perform your obligations as well. For example, we need your name and contact details so that we can update you on your child's progress and so that we can contact you if there is a concern.

Legal obligation ("LO")

Where we need to use your information in order to comply with a legal obligation, for example to report a concern to Children's Services. We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Vital interests ("VI")

In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else (e.g. if you or they are seriously hurt).

Performance of a task carried out in the public interest (or carrying out public tasks) ("PI")

The following are examples of when we use your information to perform tasks in the public interest:

- providing your child with an education;
- safeguarding and promoting your welfare, your child's welfare and the welfare of other children;
- facilitating the efficient operation of the School and the Trust; and
- ensuring that we comply with all of our legal obligations.

We must also comply with an additional condition where it processes special categories of personal information. These special categories are as follows: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information, and information about sex life or orientation.

Substantial public interest ("SPI")

We are also allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "public interest" in the table above.

Social protection and social security laws ("SPSSL")

Also we may use your information to comply with social protection law (e.g. to look after your

child) and social security laws. Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

Vital interests ("VI")

In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else (e.g. if you or they are seriously hurt).

Legal claims ("LC")

We are allowed to use your information if this is necessary in relation to legal claims. For example, this allows us to share information with our legal advisors and insurers.

How and why does the school collect and use personal information?

We set out below examples of the different ways in which we use personal information and where this personal information comes from. The letters highlighted in different colours below refer to the legal bases we are relying on. Please see the section above for an explanation.

1. Our primary reason for using your personal information is to provide educational services to your child - LI, CT, PI, SPI.
2. We will have information about any family circumstances which might affect your child's welfare or happiness. This is to help us provide appropriate care and support to your child - LI, CT, PI, SPI.
3. We will need information about any court orders or criminal petitions which relate to you. This is so that we can safeguard the welfare and wellbeing of your child and the other students at the School - LI, CT, PI, SPI, SPSSL.
4. We use CCTV to make sure the school site is safe and secure, to support the school's model of self-directed learning at times of non-direct supervision and for proactive monitoring of behaviour. Images captured of you via CCTV will be your personal data. CCTV is not used in private areas such as toilets or changing rooms - LI, CT, PI, SPI.
5. If there is a complaint or grievance made to the School which involves you then we will use your information in connection with that complaint or grievance - LI, PI, SPI.
6. We will keep information about you relevant to your attendance at the School or at our events such as open days and graduation ceremonies. This includes information about dietary needs, special requirements, disability as well as your contact details. LI SPSSL
7. We may take photographs or videos of you at our events to use on social media and on our website. This is to show prospective parents and students what we do here and to advertise the School. We may continue to use these photographs and videos after your child has left the School - LI.
8. We will send you information to keep you up to date with what is happening at the School. For example, by sending you information about events and activities taking place (including fundraising events) and the School newsletter - LI.
9. We may use information about you if we need this for historical research purposes or for statistical purposes. For example, if we consider the information might be useful if someone wanted to write a book about the School - LI.

10. We may use your information when ensuring network and information security, for example, our anti-virus software might scan files containing information about you - **LI**.

Financial information

11. We will process financial information about you in relation to the payment of fees. In some cases we get information about you from third parties such as your child's previous school(s) - **LI, CT**.
12. We will hold information about bankruptcy petitions and statutory demands, where relevant - **LI, CT**.
13. We use a third party organisation called the National Fee Relief Committee to assist us with requests for fee relief. If you apply for fee relief we will share information about you with the National Fee Relief Committee so that they can assess your application - **LI, CT**.

Sharing personal information with third parties

14. In accordance with our legal obligations, we will share information with local authorities, School Inspection Service / Estyn / Education Training Inspectorate / Her Majesty's Inspectorate of Education and the relevant Department for Education, for example, where we have any safeguarding concerns or to comply with our legal obligations - **LI, LO, PI, SPI**.
15. On occasion, we may need to share your information with the police for the prevention and investigation of crime and the prosecution of offenders. We will only do this in specific circumstances to assist the police with their investigations - **LI, CT, LO, PI, SPI, SPSSL**.
16. We may need to share information about you with the Health and Safety Executive (a government organisation) if there is a health and safety issue- **LI, LO, PI, SPI**.
17. In certain circumstances, we may also need to share information with our legal advisers for the purpose of obtaining legal advice - **LI, LO, PI, SPI, LC**.
18. Occasionally we may use consultants, experts and other advisors to assist us in fulfilling our obligations and to help run the School and the Trust properly (e.g. our accountants). We will share your information with them if this is relevant to their work - **LI, CT, PI, SPI**.
19. The School owner and the Trust are charities] which means that in exceptional circumstances we may need to share your information with the Charity Commission e.g. in the event of a serious incident - **LI, LO, PI, SPI**.]
20. We may share information about you with our insurance company, for example, where there is a serious incident- **LI, SPI, LC**.
21. If you have unpaid fees we may share information about this with other schools or educational establishments to which you intend to send your child - **LI**.
22. If your child leaves us to attend another school we may provide that school with information about you. For example, details of family circumstances if there have been any safeguarding incidents - **LI, LO**.
23. We may share information about you with others in your family, such as another parent or step-parent. For example, where this is part of our obligation to take care of your child, as

part of our wider legal and regulatory obligations, or in connection with school fees - **LI**, **PI**, **SPI**.

24. We may need to share information if there is an emergency, for example, if you are hurt whilst on School premises - **LI**, **VI**.

We sometimes use contractors to handle personal information on our behalf. The following are examples:

- IT consultants who might access information about you when checking the security of our IT network;
- Training and course providers;
- Online applications which we use to assess pupil progress and to help make teaching better (for example which help us set homework and make it easier to provide learning resources to pupils);
- Services that help us with our administration;
- Online video platforms so that we can live stream lessons, and allow pupils at different Focus schools to communicate and interact; and
- We use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the School site.

We obtain information about you from admissions forms and from your child's previous school. We may also get information from professionals such as doctors and from local authorities.

Criminal offence information

We may only use information relating to criminal convictions and offences where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations or to exercise our rights.

Less commonly, we may use information relating to criminal convictions and offences where it is necessary in relation to legal claims, where it is necessary to protect our students and you are not capable of giving your consent, or where you have already made the information public.

More than one basis

As you will see from this Notice, in some cases we rely on more than one basis for a particular use of your information. For example we will rely on contract, legitimate interests and public interest bases when using your information to provide your child with an education.

The basis that we will rely on for a particular purpose may vary depending on the circumstances. For example, if we decide to tell the local authority something about a parent for safeguarding reasons, sometimes this will be because we have a legal obligation to do so but on other occasions we may tell the local authority because we are worried about the child even if we don't have a legal obligation to report something (in which case we would be relying on legitimate interests and public interests).

Consent

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the bases in the table above. For example, we may ask for your consent before taking or using some photographs and videos if the photograph or video is more intrusive and we cannot rely on legitimate interests. If we ask for your consent to use your personal information you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid. Please speak to the Data Protection Lead if you would like to withdraw any consent given.

Sending information to other countries

In certain circumstances, we may send your information to countries which do not have the same level of protection for personal information as there is in the UK. For example, we may store your information on cloud computer storage based overseas.

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en

If the country that we are sending your information to is not on the list, or is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland), then it might not have the same level of protection for personal information as there is in the UK.

We will provide you with details about the safeguards which we have in place outside of this privacy notice. If you have any questions about the safeguards that are in place please contact the Data Protection Lead.

For how long do we keep your information?

We keep your information for as long as we need to in order to educate and look after your child. We will keep some information after your child has left the School, for example, so that we can find out what happened if you make a complaint.

In exceptional circumstances we may keep your information for a longer time than usual but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

The table below shows for how long we keep different types of your information.

Type of information	Retention period or the criteria used to determine the retention period
Application Enrolment Forms	Six years from the date your child leaves the school
Permission slips	Three years after the event they relate to unless a major incident occurred in which case it may be longer

Sharing between the School and the Trust: Further information

As set out in the Introduction, this Notice covers how both the School and the Trust handle your personal information. This section contains more information about how and why personal information is shared between the School and the Trust:

- The Trust helps the School with all aspects of the School's operations, this includes to help the School to maintain its high standards and to improve. This means that the School and the Trust may share your personal information in connection with any of the purposes described in this Notice. For example:
 - The Trust may be involved in assessing an application for a student to join the School.
 - To enable the Trust to provide advice and support should there be an area where the School needed to improve.
- The Trust provides general administration and back-office support for itself and the School. This means that staff information is held in a database managed by the Trust. It also means that you may deal direct with the Trust if you had to report an IT problem, for example.
- The Trust uses Regional Principals to help the School improve. Regional Principals will have access to all information held at School level where they need that information for this purpose. Regional Principals are acting on behalf of the Trust, so the Trust is ultimately responsible for making sure that a Regional Principal complies with data protection law.
- The Trust helps to organise events and functions. For example, a parent and student open day or a staff recruitment seminar.

What decisions can you make about your information?

From 25 May 2018 data protection legislation gives you a number of rights regarding your information. Some of these are new rights whilst others build on your existing rights. Your rights are as follows:

- **Rectification:** if information is incorrect you can ask us to correct it.
- **Access:** you can also ask what information we hold about you and be provided with a copy. This is commonly known as making a subject access request. We will also give you extra information, such as why we use this information about you, where it came from and what types of people we have sent it to.
- **Deletion:** you can ask us to delete the information that we hold about you in certain circumstances. For example, where we no longer need the information.
- **Portability:** you can request the transfer of your information to you or to a third party in a format that can be read by computer. This applies where (a) the information has been provided by you; (b) the basis that we are relying on to process your information is consent or contract (please see "Our legal bases for using your information above"); and (c) the information is being processed by us on computer.

- **Restriction:** our use of information about you may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.
- **Object:** you may object to us using your information where:
 - a. we are using it for direct marketing purposes (e.g. to send you the School magazine);
 - b. the legal basis on which we are relying is either legitimate interests or performance of a task carried out in the public interest. Please see the section "Our legal bases for using your information" above; and
 - c. we are using it for historical or scientific research purposes or archiving purposes. For example, we may keep photographs of you at a School event for historical reasons.

The Data Protection Lead can give you more information about your data protection rights.

Further information and guidance

The Data Protection Lead is the person responsible at our school for managing how we look after personal information and deciding how it is shared.

Like other organisations we need to keep your information safe, up to date, only use it for what we said we would, destroy it when we no longer need it and most importantly - treat the information we get fairly.

This notice is to explain how we use your personal information. The Data Protection Lead can answer any questions which you may have.

This privacy notice does not, and is not intended to, give you any rights which you did not already have. For example, it does not give you any additional contractual rights.

Please speak to the Data Protection Lead if:

- you object to us using your information for marketing purposes e.g. to send you information about school events. We will stop using your information for marketing purposes if you tell us not to; or
- you would like us to update the information we hold about you; or
- you would prefer that certain information is kept confidential.

If you fail to provide certain information when requested, we may not be able to perform our obligations under the contract we have entered into with you. We may also be prevented from complying with our legal obligations (such as to ensure the welfare of your child and their classmates).

If you consider that we have not acted properly when using your personal information you can contact the Information Commissioner's Office - ico.org.uk.