General Data Protection Regulations (GDPR)

Privacy Notice for Students and Parents – The Trinity School

We respect you and your child's privacy and are committed complying with privacy legislation. The information below is what is referred to as a 'Privacy Notice' which explains how we use and protect your personal information.

We have a Data Protection Officer whose role it is to ensure that any personal information processed by the school is processed fairly and lawfully. If you have any concerns or questions regarding how we look after your personal information, please contact the IGS team, at IGS@essex.gov.uk or by calling 0333 032 2970.

1. What is Personal Information?

Personal information is often records that can identify and relate to a living person. This can also include information that when put together with other information can then identify a person, for example online identifiers or location data.

2. What are Special Categories of Information?

This is personal information that needs more protection due to its sensitivity. This information is likely to include:

- sexuality and sexual health
- religious or philosophical beliefs
- ethnicity
- physical or mental health
- trade union membership
- political opinion
- genetic/biometric information

3. How we limit the use of personal information

We use personal information to deliver education effectively; but wherever possible, the information that we process will be anonymised, pseudonymised or de-personalised. This means the information can no longer identify a person.

When using personal information for research purposes, the information will be anonymised/ pseudonymised to avoid the identification of a person, unless you have agreed that your personal information can be used for the research project.

We do not sell personal information to any other organisation.

4. Why we use personal information

We use personal information to help us run the school effectively, deliver a quality education, and safeguard pupils and staff. Please see our specific processing notices which explains how we use personal information for each of our activities and which legal basis we rely on for that processing. Most of our use of personal data is for the delivery of our statutory education services, and as such relies on legal obligation and public task, as cited in legislation such as:

- Keeping children safe in education 2021
- The Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009
- The Education (Pupil Registration) (England) Regulations, 2006
- The Education Act 1996, 2002 & 2011
- The Education and Inspections Act 2006, Academies
- The Education and Skills Act 2008
- The Equalities Act 2010
- The Learning and Skills Act 2000
- The Non-Maintained Special Schools (England) Regulations 2015
- The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012
- The School Admissions Code 2014
- The School Standards and Framework Act 1998
- The SEND Regulations
- The Special Educational Needs and Disability Regulations 2014
- The SEND Code of Practice Jan 2015
- Working Together to Safeguard Children 2019
- The Apprenticeships, Skills, Children and Learning Act 2009
- The Counter Terrorism and Security Act 2015
- Sexual Violence and Sexual Harassment Between Children in Schools and Colleges 2018
- The Children and Families Act 2014
- The Children and Young People Act 2014
- The Children Act 1989 & 2004
- The Anti-Social Behaviour Act, 2003

Our processing of special category personal data relies on Substantial Public Interest (Data Protection Act 2018, Schedule1, Part 2, 6 (2)(a); and 18 (1)(a)).

5. Your privacy rights

The law provides you with a number of rights to control the processing of your personal information:

Accessing the information we hold about you

You have the right to ask for all the information we have about you. When we receive a request from you, we must normally give you access to everything we have recorded about you. However, we will not let you see any parts of your record which contain:

- Information about other people, unless we have their consent to share
- Information professionals think will cause serious harm to your or someone else's physical or mental wellbeing
- Information which may adversely affect the prevention or detection of crime.

This applies to paper and electronic records. If you ask us, we will also let others see your record (except if one of the points above applies). If you have any queries regarding access to your information, please contact us or 01206 700911.

Changing information you believe to be inaccurate

You should let us know if you disagree with something written on your file. We may not always be able to change or remove the information. We will correct factual inaccuracies but cannot correct the opinions of professionals working with you although we are able to include your comments in the records. Please use the contact details above to report inaccurate information.

Asking for your information to be deleted (right to be forgotten)

In some circumstances you can request the erasure of the personal information used by us, for example:

- Where the personal information is no longer needed for the purpose for which it was collected
- Where we are relying on your consent to use the data, and you remove your consent
- Where there is no legal basis for the use of your information
- Where erasure is a legal obligation

Where personal information has been shared with others, we will make every reasonable effort to ensure those using your personal information comply with your request for erasure.

Please note that the right to erasure does not extend to using your personal information where:

- Is required by law
- It is used for exercising the right of freedom of expression
- It is in the public interest for public health
- It is for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes and erasure would seriously affect the achievement of the objectives of the processing
- It is necessary for the establishment, defence or exercise of a legal claim.

Restricting what your information is used for

You have the right to ask us to restrict what we use your personal information for where one of the following applies:

- You have identified inaccurate information, and have notified us of this
- Where using your information is unlawful, and you wish us to restrict rather than erase the information
- Where you have objected to us using the information, and the legal reason for us using your information has not yet been provided to you

When information is restricted, it cannot be used other than to securely store the information, and with your consent, to handle legal claims, protect others, or where it is for important public interests of the UK. Where restriction of use has been granted, we will inform you before the use of your personal information is resumed.

You have the right to request that we stop using your personal information in some circumstances, for example where we are relying on your consent. However we are required by law to use personal information to deliver education services so for those purposes we could not grant your request.

Computer based decisions about you and if you are 'profiled'

You have the right to object about decisions being made about you by automated means (by a computer and not a human being), unless it is required for any contract you have entered, required by law, or you have consented to it. You also have the right to object if you are being 'profiled'. Profiling is where decisions are made about you based on certain things in your personal information.

The school do not routinely use these types of processing, but if you have concerns regarding automated decision making or profiling, please contact the school who will advise you about how your information is being used.

6. Who will we share your personal information with?

As explained in our specific processing notices we use a range of companies and partners to either store personal information or to manage it for us. Where we have these arrangements there is always a contract, memorandum of understanding or information sharing protocol in place to ensure that the school complies with information protection law. We complete data protection impact assessments before we share personal information to ensure their compliance with the law.

Sometimes we have a legal duty to provide information about people to other organisations, e.g. Child Protection concerns or statutory returns to the Department for Education, for example the school census.

We may also share your personal information when we feel there is a good reason that is more important than protecting your confidentiality. This does not happen often, but we may share your information:
To find and stop crime or fraud; or

- if there are serious risks to the public, our staff or to other professionals; or
- to protect a child.

The law does not allow us to share your information without your permission, unless we believe that someone is at risk, or it is required by law. This risk must be serious before we can go against your right to confidentiality. When we are worried about physical safety or we feel that we need to take action to protect someone from being harmed in other ways, we will discuss this with you and, if possible, get your permission to tell others about your situation. We may still share your information if we believe the risk to others is serious enough to do so.

There may also be rare occasions when the risk to others is so great that we need to share information straight away. If this is the case, we will make sure that we record what information we share and our reasons for doing so. We will let you know what we have done and why as soon as or if we think it is safe to do so.

We are required by law to share certain information with the Department for Education; for more details on how they use personal information please click here

We are also required to share some information with Essex County Council; for more details on how they use personal information please click here

7. How do we protect your information?

We will do what we can to make sure we hold personal records (on paper and electronically) in a secure way, and we will only make them available to those who have a right to see them. Our security measures include:

- Encryption- this allows information to be hidden so that it cannot be read without special knowledge (such as a password). This is done with a secret code or cypher. The hidden information is said to be encrypted.
- Controlling access to systems, networks and buildings allows us to stop people who are not allowed to view your personal information from getting access to it.
- Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong.
- Ensuring there are ways for us to access your information should something go wrong and our systems not work, including how we manage your information in event of an emergency or disaster.
- Regular testing of our technology and processes including keeping up to date on the latest security updates.

<u>If your information leaves the country</u>
Sometimes, for example where we receive a request to transfer school records to a new school, it is necessary to send that information outside of the UK. In such circumstances

additional protection will be applied to that information during its transfer, and where the receiving country does not have an adequacy decision, advice will be sought from the Information Commissioners Office prior to the information being sent.

Sometimes a data processor providing storage or technical services is based outside the UK. Where this is the case, we will carry out a risk assessment and ensure that personal data only leaves the UK where it is in accordance with UK data protection law and with appropriate protection.

8. How long do we keep your personal information?

Our retention schedule lists how long your information may be kept for different purposes. A copy of our retention schedule can be requested from our school office.

9. Where can I get advice?

You can contact our Data Protection Officer at IGS@essex.gov.uk or by calling 0333 032 2970.

For independent advice about information protection, privacy and information sharing issues, you can contact the Information Commissioner's Office (ICO) at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number. Alternatively, visit ico.org.uk or email casework@ico.org.uk

10. Cookies & how you use this website

To make this website easier to use, we sometimes place small text files on your device (for example your iPad or laptop). These are known as 'cookies'. Most big websites do this too. They improve things by:

- remembering the things you've chosen, so you don't have to keep re-entering them whenever you visit a new page
- remembering information you've given (for example, your address) so you don't need to keep entering it
- measuring how you use the website so we can make sure it meets your needs.

By using our website, you agree that we can place these types of cookies on your device.

We do not use cookies on this website that collect information about what other websites you visit (often referred to as privacy intrusive cookies).

Our cookies aren't used to identify you personally. They're just here to make the site work better for you. Indeed, you can manage and/or delete these files as you wish.

To learn more about cookies and how to manage them, visit AboutCookies.org or watch a video about cookies.

Other people's cookies

We sometimes use videos from YouTube and feeds from other websites such as Facebook and Twitter. These websites place cookies on your device when watching or viewing these pages.

Below are links to their cookie policies:

- Google and YouTube
- Facebook
- Twitter

Turning off cookies

You can stop cookies being downloaded on to your computer or other device by selecting the appropriate settings on your browser. If you do this, however, you may not be able to use the full functionality of this website.

There is more information about how to delete or stop using cookies on AboutCookies.org. If you wish, you can also opt out of being tracked by Google Analytics.

Further guidance on the use of personal information can be found at ico.org.uk

© Essex County Council 2024