



How We Use Your Information

Privacy Notice For Children

Introduction:

Under 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**.

What is personal information?

Personal information is information that identifies you as an individual and relates to you. This includes your contact details, financial information, educational and health information as well as information such as ethnic group, photographs and video recordings.

The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils 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
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Behaviour information
- Assessment information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

- **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 you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

How and why does Goldfinch collect and use personal information?

We set out examples below of the different ways in which we use personal information and where this information comes from. Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection law, we will inform you when you have a choice in this. Our main reason for using your personal information is to provide educational/caring services to your child.

- We obtain information about you from admissions forms and from your child's previous setting (if applicable). We may also get information from professionals such as doctors and from local authorities.
- We have information from your children, their teachers and other children.
- We have information about any family circumstance which might affect your child's welfare.
- We may need information about any court orders or criminal petitions which relate to you. This is so we can safeguard the welfare and wellbeing of your child and the other children.
- We use CCTV in some areas of the school to make sure the site is safe.
- We process financial information about you in relation to payment of fees.

Why we use this data

We use this data 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
- Comply with the law regarding data sharing

Sharing personal information with third parties:

We do not share information about pupils 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 data protection law) we may share personal information about pupils with:

- *Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions*
- *The Department for Education – to meet our legal obligations to share pupil information*

- *The pupil's family and representatives - in order to inform for example about attainment and progress*
 - *Our regulator, Ofsted*
 - *Financial organisations – to enable online payments to be made e.g. Sims Agora*
 - *Our auditors – to meet legal financial obligations*
 - *Health authorities – to meet our legal obligations regarding statutory measures e.g. in year 6*
 - *Health and social welfare organisations – to meet the vital interests of pupils*
 - *Professional advisers and consultants e.g. Educational Psychologist – to support children's teaching and learning needs*
 - *Charities and voluntary organisations*
 - *Police forces, courts, tribunals - to meet our legal obligations*
 - *Professional bodies*
-
- We share information with the DFE on a statutory basis. This data sharing underpins school funding and the educational attainment policy and monitoring.
 - On occasion we may need to share information with the police.
 - We may use advisors to assist us in fulfilling its obligations to help run the setting properly. We might need to share your information with them if this is relevant to their work.
 - We may share some information with our insurance company, where there is a serious incident at the setting.
 - If your child leaves us to attend another setting we may need to provide that setting with information about you or your child. For example, details of family circumstances for safeguarding reasons.
 - We may share information about you with others in your family, such as another parent where this is part of our obligation to take care of your child, as part of our wider legal and regulatory obligations.
 - We may need to share information if there is an emergency for example, if your child is hurt whilst on our premises.

Parents and pupils' rights regarding personal data

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.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- 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 or your child
- 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.

If you would like to make a request please contact our data protection officer.

Other rights

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

- Object to the 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
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

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.

To make a complaint, 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/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Our legal grounds for using your information:

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

Legitimate interests

This means that the processing is necessary for legitimate interests except where the processing is unfair to you. Goldfinch relies on legitimate interests for most of the ways in which it uses your information. Specifically, Goldfinch has a legitimate interest in:

- Providing educational and care services to your child;
- Safeguarding and promoting the welfare of your child (and other children);
- Promoting the objects and interests of the setting. This includes making sure we are able to enforce our rights against you, for example, so that we can contact you if unpaid fees are overdue;
- Facilitating the efficient operation of the setting; and
- Ensuring that all relevant legal obligations of the setting are complied with.

Necessary for a contract:

We will need to use your information in order to perform our obligations under our contract with you. 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 Obligations:

Where the setting needs to use your information in order to comply with legal obligation, for example, to report a concern to Safeguarding Services. We may also need to disclose information to third parties such as the local authorities where legally obliged to do so.

Vital interests:

For example, to prevent someone from being seriously harmed or killed.

The setting must also comply with an additional condition where it processes special categories of personal information. For example, ethnic origin and health information.

Consent

We may ask for your consent to use your information in certain ways. If we ask for your consent to use your personal information you can withdraw this consent at any time. Any use of your information before you withdraw remains valid.

How long do we keep your information:

We keep your child's information for as long as we need to in order to educate and look after them.

We will keep certain information after your child has left our setting.

In exceptional circumstances, we may keep your child's 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.

What decisions can you make about your information?

From 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:

- If information is incorrect you can ask us to correct it;

- You can also ask what information we hold about you and be provided with a copy. 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;
- 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;
- You can ask us to send you, or another organisation, certain types of information about you in a format that can be read by computer;
- 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;
- You can object to direct marketing
- Claim compensation for damages caused by breach of Data Protection regulations.

Further information and guidance:

This notice is to explain how we look after your child's personal information. <The named person> can answer any questions which you might have.

Like other organisations we need to keep your information safe, 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.

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

You can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF