



PRIVACY NOTICE

Parent & Carers Use of your Child's Personal Data

Cherry Trees School

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Privacy Notice for parents/carers – use of your child’s personal data

Under UK 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 at our school**.

This privacy notice applies while we believe your child is not capable of understanding and exercising their own data protection rights.

Cherry Trees School (Giggetty Lane, Wombourne, Wolverhampton, WV5 0AX) is the ‘data controller’ for the purposes of Data Protection Law.

Our Data Protection Officer is Anthony Dooley (see ‘Contact us’ below).

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
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

We may also hold data about pupils that we have received from other organisations, including other schools, Social Services, Local Authorities and the Department for Education.

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
- Carry out research
- Comply with the law regarding data sharing

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

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 pupils' personal data, this consent 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.

Our Basis for Using Special Category Data

For 'special category' data, we only collect and use it when we have both a lawful basis and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law

- We need to protect 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
- We need to process it for the establishment, 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 is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for 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 and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect 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
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

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 We Store This Data

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations and in accordance with Staffordshire County Council's Record Retention Schedule. A copy of the retention schedule we use is available upon request from the Data Protection Officer.

Data Sharing

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

We may share information about pupils when:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also share 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)

	We need to comply with a legal obligation	We need it to perform an official task in the public interest	We need to protect the individual's vital interests (or someone else's interests)
<i>Our Local Authority</i>	X		X
<i>The Department for Education</i>	X		
<i>The pupil's family and representatives</i>	X		X
<i>Educators and Examining Bodies</i>	X	X	
<i>Our regulator e.g. Ofsted</i>	X		
<i>Suppliers and service providers</i>		X	
<i>Financial organisations</i>		X	

<i>Central and Local Government</i>		X	X
<i>Health Authorities</i>			X
<i>Health and Social Welfare organisations</i>	X		X
<i>Professional advisers and consultants</i>		X	
<i>Charities and Voluntary organisations</i>		X	

National Pupil Database

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the School Census and Early Years Census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

Transferring Data Internationally

Where we transfer your child's personal data to a third-party country or territory, we will do so in accordance with UK Data Protection law.

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.

If you make a subject access request, and if we do hold information about you or your child, 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 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 - Anthony Dooley.

Parents/carers also have a legal right to access to their child's **educational record**. To request access, please contact Alison Garrett - Data Protection Controller.

Other Rights

Under UK 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

- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your child's personal data for a specific purpose

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

Contact Us

If you have any questions, concerns or would like more information about anything mentioned in this Privacy Notice, please contact our **Data Protection Officer**:

- Anthony Dooley Telephone: 01902 761889
Email: t.dooley@endeavourmat.co.uk