





*To inspire, enrich and nurture so each individual reaches their full potential*

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The HCFS is a company limited by Guarantee Registration number 07648654

# UK GDPR Privacy Notices

September 2025

To be reviewed annually in the Autumn Term

Next Review: September 2026

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## **1. Privacy Notice – Staff**

### **1.1 What is the purpose of this document?**

Hatfield Community Free School (HCFS) is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you before, during and after your working relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR).

HCFS is a two form entry primary free school in a single academy trust.

HCFS is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

The Data Protection Officer is Herts for Learning and can be contacted via the following email address: [dataprotectionofficer@hcfs.org.uk](mailto:dataprotectionofficer@hcfs.org.uk)

This notice applies to current and former employees, workers and contractors. This notice does not form part of any contract of employment or other type of contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Please see the Glossary at the end of this privacy notice for definitions of key terms.

### **1.2 Data Protection Principles**

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way;
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
3. Relevant to the purposes we have told you about and limited only to those purposes;
4. Accurate and kept up to date;
5. Kept only as long as necessary for the purposes we have told you about;
6. Kept securely.

### **1.3 The type of information we hold about you**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
- Date of birth;
- Sex;
- Marital status and dependants;
- Next of kin and emergency contact information;
- National Insurance number;

- Bank account details, payroll records and tax status information;
- Salary, annual leave, pension and benefits information;
- Teacher Reference Number;
- Start date;
- Location of employment or workplace;
- Copy of driving licence; and if relevant and required, passport and visa information confirming eligibility to work in the UK;
- Recruitment information (including copies of pre-vetting recruitment and identity checks (including, where appropriate, information about your employment history, Standard or Enhanced Disclosure and Barring Service Checks, Barred Lists Checks, prohibition checks /section 128 checks and disqualification checks, for example under the Childcare (Disqualification) Regulations 2009 and any further checks that are required if you have lived or worked outside the UK), your nationality and right to work documentation, references and other information included in a CV, application form or cover letter or as part of the application process);
- Employment records (including job titles, work history, working hours, training records and professional memberships);
- Compensation history;
- Performance information;
- Disciplinary and grievance information, including warnings issued to you;
- CCTV footage and other information obtained through electronic means such as swipecard records;
- Information about your use of our information and communications systems;
- Photographs.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions;
- Trade union membership;
- Information about your health, including any medical condition, health and sickness records;
- Genetic information and biometric data;
- Information about your criminal record.

Data stored electronically may be saved on a cloud-based system which may be hosted in a different country.

#### **1.4 How is your personal data collected?**

We collect personal information about employees, workers and contactors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, the Local Authority or other background check agencies.

We will also collect additional personal information in the course of job-related activities throughout the period of you working for us.

#### **1.5 How we will use information about you**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you;
2. Where need to comply with a legal obligation.

We may also use your personal information in the following situations:

1. Where we need to protect your interests (or someone else’s interests);
2. Where it is needed in the public interest or for official purposes;
3. Where it is necessary for our legitimate interests or the legitimate interests of a third party.

### 1.5.1 Situation in which we will use your personal information

We need all the categories of information in the previous list primarily to allow us to perform our contract with you[\*], to enable us to comply with legal obligations[\*\*] and/or where it is needed in the public interest or for official purposes [\*\*\*]. The situations in which we will process your personal information are listed below.

- Making a decision about your recruitment or appointment\*;
- Determining the terms on which you work for us\*;
- Checking you are legally entitled to work in the UK\*\*;
- Checking the award of Qualified Teacher Status, completion of teacher induction and prohibitions, sanctions and restrictions that might prevent the individual from taking part in certain activities or working in specific positions via the Teacher Services Online platform\*\*;
- To maintain our single central record and to comply with our general safeguarding obligations\*\*;
- To provide information on our website about our employees\*\*;
- Where appropriate, to disclose certain information in the Academy's accounts in accordance with the Accounts direction\*\*;
- Paying you and, if you are an employee, deducting tax and National Insurance contributions\*;
- Liaising with your pension provider\*;
- Administering the contract, we have entered into with you\*;
- Business management and planning, including accounting and auditing\*\*\*;
- Conducting performance reviews, managing performance and determining performance requirements\*;
- Making decisions about salary reviews and compensation\*;
- Assessing qualifications for a particular job or task, including decisions about promotions\*;
- Gathering evidence for possible grievance or disciplinary hearings\*\*;
- Responding to complaints or investigations from stakeholders or our regulators\*\*;
- Making decisions about your continued employment or engagement\*;
- Making arrangements for the termination of our working relationship\*;
- Providing references to prospective employers\*\*;
- Education, training and development requirements\*;
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work\*\*;
- Ascertaining your fitness to work\*\*;
- Managing sickness absence\*\*;
- Complying with health and safety obligations\*\*;
- To prevent fraud\*\*;
- To monitor your use of our information and communication systems to ensure compliance with our IT policies\*\*\*;
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution\*\*\*;
- To conduct data analytics studies to review and better understand employee retention and attrition rates\*\*\*;
- In connection with the Transfer of Undertaking (Protection of Employment) Regulations 2006, for example, if a service is outsourced or in connection with an academy conversion\*\*;
- To maintain and promote equality in the workplace\*\*;
- To receive advice from external advisors and consultants\*\*\*;
- In appropriate circumstances to liaise with regulatory bodies, such as the NCTL, the Department for Education, the DBS and the Local Authority about your suitability to work in a school or in connection with other regulatory matters\*\*.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

In addition, the school also uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or investigate other issues. CCTV footage involving staff will only be processed to the extent that it is lawful to do so. Please see our CCTV policy.

### **1.5.2 If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers) or we may be unable to discharge our obligations which may be in the public interest or for official purposes.

### **1.5.3 Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **1.6 How we use particularly sensitive personal information**

“Special categories” of particularly sensitive personal information require us to ensure higher levels of data protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent;
2. Where we need to carry out our legal obligations and in line with our Data Protection Policy;
3. Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our occupational pension scheme), and in line with our Data Protection Policy;
4. Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

### **1.6.1 Our obligations as an employer**

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leaves of absence including the reasons for the leave, which may include sickness absence or family-related leave, sabbaticals, to comply with employment and other laws;
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to comply with the Equality Act 2010, to monitor and manage sickness absence and to administer benefits;
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting;
- We will use trade union membership information to pay trade union subscriptions, register the status of a protected employee and to comply with employment law obligations.

### **1.6.2 Do we need your consent?**

We do not need your consent if we use your particularly sensitive information in accordance with our written policy where processing is necessary:

- to carry out our legal obligations or exercise specific rights in the field of employment law;
- for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- for reasons of substantial public interest, and is authorised by domestic law (see section 10 of the Data Protection Act 2018).

In other circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract of employment with us that you agree to any request for consent from us.

### **1.7 Information about criminal convictions**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our Data Protection Policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We envisage that we will hold information about criminal convictions, for example, if information about criminal convictions comes to light as a result of our recruitment and Disclosure and Barring Service checks, or if information about criminal convictions comes to light during your employment with us.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us.

### **1.8 Automated Decision-Making**

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration;
2. Where it is necessary to meet our obligations under your employment contract and ensure that appropriate measures are in place to safeguard your rights;
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

### **1.9 Data Sharing**

We may have to share your data with third parties, including third-party service providers and other organisation.

In particular, we may share your data with organisations including, but not limited to, the following:

- the Local Authority;
- the Department for Education;
- the Education & Skills Funding Agency;
- the Disclosure and Barring Service;
- the Teaching Regulation Agency;
- the Teachers' Pension Service;
- the Local Government Pension Scheme;
- our external payroll provider;
- our IT Provider;
- HMRC;
- the Police or other law enforcement agencies;
- commissioned providers of local authority services [e.g. HFL Education];
- our legal advisors;
- insurance providers / the Risk Protection Arrangement.

We require third parties to respect the security of your data and to treat it in accordance with the law. Some of the organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.

#### **1.9.1 Why might we share your personal information with third parties?**

We will share your personal information with third parties where required by law, where it is necessary for establishment, exercise or defence of legal claims, where it is necessary to administer the working relationship with you, where it is needed in the public interest or for official purposes, or where we have your consent.

#### **1.9.2 Which third-party service providers process your personal information?**

"Third parties" includes third-party service providers (including contractors and designated agents). The following activities are carried out by third-party service providers: payroll, pension administration, benefits provision and administration, IT services.

#### **1.9.3 Department for Education**

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

We are required to share information about our school employees with the Department for Education (DfE) under regulation 7 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 as amended.

#### **1.9.4 DfE data collection requirements**

The following is information provided by the DfE concerning the reason it collects data about school employees:

- The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained

schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005;

- To find out more about the data collection requirements placed on us by the DfE including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The DfE may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff by:

- conducting research or analysis;
- producing statistics; and/or
- providing information, advice or guidance.

The DfE has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data;
- the purpose for which it is required;
- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

To be granted access to school workforce information, organisations must comply with the DfE's strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the DfE's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To contact the department: <https://www.gov.uk/contact-dfe>

### **1.9.5 How secure is your information with third-party service providers?**

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions. Where necessary, we will carry out a Data Protection Impact Assessment (DPIA) to assess any risks involved.

### **1.9.6 What about other third parties?**

We may share your personal information with other third parties, for example in the context of the possible academy conversion or merger/joining another Multi Academy Trust. We may also need to share your personal information with a regulator or to otherwise comply with the law.

From time to time, we may disclose your personal data in response to a request for information pursuant to the Freedom of Information Act 2000 or following a data Subject Access Request. We may approach you for your consent but, in any event, we will only disclose your personal data if we are satisfied that it is reasonable to do so in all the circumstances. This means that we may refuse to disclose some or all of your personal data following receipt of such a request.

### **1.9.7 Transferring information outside the EU**

In compliance with the conditions of data transfers outside EEA as laid down in Chapter V of the GDPR, the personal information that we collect is stored within the UK and European Economic Area (EEA). However, there may be some circumstances where it is necessary to transfer and store personal information at a

destination outside the UK or the EEA. In these circumstances, we will take all steps reasonably necessary to ensure that personal information is treated securely and in accordance with data protection law and, in the event that personal information is transferred outside the UK or the EEA, shall ensure that this is carried out subject to the requirements of the UK GDPR.

We may sometimes transfer your personal data outside of the European Economic Area if we are arranging a school trip and we are booking transport, accommodation or activities. In those circumstances, we will obtain your consent for us to process your data in this way.

### **1.10 Data Security**

We have put in place measures to protect the security of your information. Details of these measures are within our Data Security Policy.

Third parties who are processing personal data on our behalf will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you, preferably by email and only to the email address you have registered with us and any applicable regulator of a suspected breach where we are legally required to do so.

### **1.11 Data Retention - How long will we use or retain your information for?**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, insurance or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Data Retention Policy. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with our Data Retention Policy.

### **1.12 Rights of Access, Correction, Erasure and Restriction**

#### **1.12.1 Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

#### **1.12.2 Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (data Subject Access Request). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it;
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected;
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal

information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below);

- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes;
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it;
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the School Business Manager in writing.

We will always seek to comply any requests regarding your rights, however please note that we may still be required to hold or use your information to comply with legal duties.

For further information about your rights, including the circumstances in which they apply, see the [guidance](#) from the Information Commissioners Office (ICO) on individuals' rights under the UK GDPR.

The legal timescales for the school / trust to respond to a Subject Access Request is one calendar month. As the school/trust has limited staff resources outside of term time, we encourage staff to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. For further information about how we handle Subject Access Requests, please see our Subject Access Request Policy.

**If you have any questions about this privacy notice, please contact the School Business Manager.**

## **2. Privacy Notice – Parents and Carers**

Hatfield Community Free School (HCFS) is required by law to collect and process data and information about parents / carers of our pupils so that we can operate effectively as a school. This privacy notice explains how and why we collect parent / carer data, what we do with it and what rights parents have.

This privacy notice provides you with information about how we collect and process personal data of our pupils and their parents/carers in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

The term “parent” is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the pupil, with whom the pupil lives or whether the pupil has contact with that parent), and also includes non-parents who have parental responsibility for the pupil, or with whom the pupil lives. It is therefore possible for a pupil to have several “parents” for the purposes of education law. This privacy notice also covers other members of pupils’ families who we may process data about from time to time, including, for example, siblings, aunts and uncles and grandparents.

### **2.1 How we use parent/carers information**

HCFS is a two form entry primary free school in a single academy trust.

HCFS is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

The Data Protection Officer is Herts for Learning and can be contacted via the following email address: [dataprotectionofficer@hcfs.org.uk](mailto:dataprotectionofficer@hcfs.org.uk)

### **2.2 Why do we collect and use parent/carers information?**

We collect and use parent/carers information under the following lawful bases under the UK GDPR:

1. where we have the consent of the data subject (Article 6 (a));
2. where it is necessary for compliance with a legal obligation (Article 6 (c));
3. where processing is necessary to protect the vital interests of the data subject or another person (Article 6(d));
4. where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6 (e)).
5. where processing is necessary for our legitimate interests or the legitimate interests of a third party [Article 6 (f)].

Where the personal data we collect about parents/carers is sensitive (i.e. special category) personal data, we will only process it where:

1. we have explicit consent [Article 9 (2)(a)];
2. processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent [Article 9 (2)(c)]; and/or
3. processing is necessary for reasons of substantial public interest, and is authorised by UK law (see section 10 of the 2018 Data Protection Act) [Article 9 (2)(g)].

Please see the Glossary at the end of this privacy notice for definitions of key terms.

We use the parent/carers data to support our functions of running a school, including but not limited to:

- to decide who to admit to the school;
- to support pupil learning;
- to monitor and report on pupil progress;

- to provide appropriate pastoral care;
- to assess the quality of our services;
- to comply with the law regarding data sharing;
- for the protection and welfare of pupils and others in the school, including our safeguarding / child protection obligations;
- for the safe and orderly running of the school;
- to promote the school;
- to send you communications that may be of interest to you, and which may include information about school events or activities, news, campaigns, appeals, other fundraising activities;
- in order to respond to investigations from our regulators or to respond to complaints raised by our stakeholders;
- in connection with any legal proceedings threatened or commenced against the school.

The categories of parent/carer information that we collect, hold and share include, but is not limited to:

- Personal information (such as name, address, telephone number and email address);
- Information relating to your identity, marital status, employment status, religion, ethnicity, language, medical conditions and free school meal / pupil premium eligibility / entitlement to certain benefits, information about court orders in place affecting parenting arrangements for pupils).

From time to time and in certain circumstances, we might also process personal data about parents/carers, some of which might be sensitive personal data, information about criminal proceedings/convictions or information about child protection/safeguarding. This information is not routinely collected about parents/carers and is only likely to be processed by the school in specific circumstances relating to particular pupils, for example, if a child protection issue arises or if a parent/carer is involved in a criminal matter. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and/or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

We collect information about parents / carers before pupils join the school and update it during pupils' time on the roll as and when new information is acquired.

### **2.3 Collecting parent/carer information**

Whilst the majority of information about parents/carers provided to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the UK GDPR, we will inform you whether you are required to provide certain parent / carer information to us or if you have a choice in this. Where appropriate, we will ask parents/carers for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to ask your permission to use your information for marketing purposes or to request voluntary contributions. Parents/carers may withdraw consent given in these circumstances at any time.

In addition, the School also uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or investigate other issues. CCTV footage involving parents/carers will only be processed to the extent that it is lawful to do so. Please see our CCTV policy/code of practice for more details.

### **2.4 Who do we share parent/carer information with?**

We hold your data securely and have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. Access to information is limited to those who have a business need to know it and who are subject a duty of confidentiality. A significant amount of personal data is stored electronically, for example, on our MIS database. Some information may also be stored in hard copy format.

Data stored electronically may be saved on a cloud-based system which may be hosted in a different country.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach involving your data where we are legally required to do so.

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, insurance or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Data Retention Policy. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a parent/carer we will retain and securely destroy your personal information in accordance with our Data Retention Policy.

### **2.5 Storing parent/carer information**

We do not share information about our pupils or parents/carers with anyone without consent unless the law and our policies allow us to do so. Notwithstanding this, we routinely share parent/carer information with schools that pupils attend after leaving us.

From time to time, we may also share parent/carer information with other third parties including, but not limited to, the following:

- our local authority [Hertfordshire County Council];
- a pupil's home local authority (if different);
- the Department for Education (DfE);
- school trustees;
- the Police and law enforcement agencies;
- NHS health professionals including the school nurse, educational psychologists,
- Education Welfare Officers;
- Courts, if ordered to do so;
- the Teaching Regulation Authority;
- Prevent teams in accordance with the Prevent Duty on schools;
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances;
- our legal advisors;
- our insurance providers / the Risk Protection Arrangement;
- other third parties we may engage the services of for the purpose of providing a public task or the administration of the school, for example our safeguarding monitoring software, our management information system provider.

Some of the organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.

We may also share your data with a number of providers of software tools which may be used to: support pupil learning; monitor and report on pupil attainment and progress; deliver the educational curriculum; ensure the safety and wellbeing of pupils; communicate with parents; or to carry out other operational processes to

support our core activities as a public authority, under Article 6(e) of the UK GDPR. These providers act as data processors on our behalf, and are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow them to use your personal data for their own purposes, and we only permit them to process your personal data for specified purposes and in accordance with our instructions.

We will share your personal information with third parties where required by law, in connection with legal proceedings, where it is needed in the public interest or for official purposes or where we have your consent. In the event that we share personal data about parents/carers with third parties or data processors, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data. Where necessary, we will carry out a Data Protection Impact Assessment (DPIA) to assess any risks involved.

## **2.6 Where we store personal information**

The personal information that we collect is stored within the UK and European Economic Area (EEA). However, there may be some circumstances where it is necessary to transfer and store personal information at a destination outside the UK or the EEA. In these circumstances, we will take all steps reasonably necessary to ensure that personal information is treated securely and in accordance with data protection law and, in the event that personal information is transferred outside the UK or the EEA, shall ensure that this is carried out subject to the requirements of the UK GDPR.

## **2.7 Requesting access to your personal data**

Under data protection legislation, parent /carers have the right to request access to information about them that we hold (“Subject Access Request”).

The legal timescales for the School to respond to a Subject Access Request is one calendar month. As the School has limited staff resources outside of term time, we encourage parents/carers to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. For further information about how we handle Subject Access Requests, please see our Subject Access Request Policy.

### **3. Privacy Notice – Pupils**

Hatfield Community Free School (HCFS) is required by law to collect and process personal data relating to all of its pupils. This privacy notice provides you with information about how we collect and process personal data of our pupils in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

#### **3.1 Who are we?**

HCFS is a two form entry primary free school in a single academy trust.

HCFS is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

The Data Protection Officer is Herts for Learning and can be contacted via the following email address: [dataprotectionofficer@hcfs.org.uk](mailto:dataprotectionofficer@hcfs.org.uk)

#### **3.2 Why do we collect and use pupil information?**

We collect and use pupil information under section 537A of the Education Act 1996, section 83 of the Children Act 1989, and to carry out tasks in the public interest. If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public interest (equality of opportunity or treatment).

We collect and use pupil information under the following lawful bases under the UK General Data Protection Regulation (UK GDPR):

1. where we have the consent of the data subject (Article 6 (a));
2. where it is necessary for compliance with a legal obligation (Article 6 (c));
3. where processing is necessary to protect the vital interests of the data subject or another person (Article 6(d));
4. where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6 (e)).
5. where processing is necessary for our legitimate interests or the legitimate interests of a third party [Article 6 (f)].

Where the personal data we collect about pupils is sensitive (i.e. special category) personal data, we will only process it where:

1. we have explicit consent [Article 9 (2)(a)];
2. processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent [Article 9 (2)(c)]; and/or
3. processing is necessary for reasons of substantial public interest, and is authorised by UK law (see section 10 of the 2018 Data Protection Act) [Article 9 (2)(g)].

Please see the Glossary at the end of this privacy notice for definitions of key terms.

We use the pupil data to support our statutory functions of running a school, including but not limited to:

- to decide who to admit to the school;
- to support pupil learning;
- to monitor and report on pupil progress;
- to provide appropriate pastoral care;

- to assess the quality of our services;
- to comply with the law regarding data sharing;
- for the protection and welfare of pupils and others in the school;
- for the safe and orderly running of the school;
- to promote the school;
- to communicate with parents/carers.

The categories of pupil information that we collect, hold and share include, but is not limited to:

- Personal information (such as name, unique pupil number and address);
- Characteristics (such as ethnicity, language, medical conditions and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons);
- Assessment information such as their current pupil progress, their predicted progress and where appropriate data relating to any assessments, tests or exams they have undertaken;
- Relevant medical information including any conditions or allergies your child may have, the need for epi-pens/medication, emergency contact and doctor's details;
- Special educational needs information. This includes information about any particular needs that your child has, any funding that is received specifically for your child, statements of individual need and health care plans;
- Behavioural information, which may include information about your child's general classroom behaviour including any awards gained, together with any detentions fixed-term or permanent exclusions they have received;
- Pastoral and safeguarding information, including notes on any home visits undertaken;
- Photographs;
- CCTV images.

From time to time and in certain circumstances, we might also process personal data about pupils, some of which might be sensitive personal data, including information about criminal proceedings/convictions, information about sex life and sexual orientation, child protection/safeguarding. This information is not routinely collected about pupils and is only likely to be processed by the school in specific circumstances relating to particular pupils, for example, if a child protection issue arises or if a pupil is involved in a criminal matter. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and/or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

We collect information about pupils when they join the school and update it during their time on the roll as and when new information is acquired.

As the school has a cashless catering system, we also process biometric data about pupils. Please see our Data Protection Policy for more details about how we process biometric data.

### **3.3 Collecting pupil information**

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the UK GDPR, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this. Where appropriate, we will ask parents/pupils for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to use photos or images of pupils on our website or on social media to promote school activities or if we want to ask your permission to use your information for marketing purposes. Parents/pupils may withdraw consent at any time.

In addition, the School also uses CCTV cameras around the school site for security purposes and for the

protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or investigate other issues. CCTV footage involving pupils will only be processed to the extent that it is lawful to do so. Please see our CCTV policy.

### **3.4 Storing pupil data**

We hold pupil data securely and have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. Access to information is limited to those who have a business need to know it and who are subject a duty of confidentiality. A significant amount of personal data is stored electronically, for example, on our MIS database. Some information may also be stored in hard copy format.

Data stored electronically may be saved on a cloud-based system which may be hosted in a different country.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach involving your data where we are legally required to do so.

When a pupil moves to another educational setting or school phase, the vast majority of information that we hold will move to that setting, although we may need to retain a certain amount of personal data, as laid out in our Data Retention Policy and Schedule.

### **3.5 Who do we share pupil information with?**

We routinely share pupil information with:

- schools that pupils attend after leaving us;
- our local authority (Hertfordshire County Council);
- a pupil's home local authority (if different);
- commissioned providers of local authority services [e.g. HFL Education]
- the Department for Education (DfE);
- school trustees;
- exam boards.

From time to time, we may also share pupil information with other third parties including, but not limited to, the following:

- the Police and law enforcement agencies;
- NHS health professionals including the school nurse, educational psychologists,
- Education Welfare Officers;
- Courts, if ordered to do so;
- the National College for Teaching and Learning;
- the Joint Council for Qualifications;
- Prevent teams in accordance with the Prevent Duty on schools;
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances;
- our legal advisors;
- our insurance providers / the Risk Protection Arrangement.

Some of the above organisations may also be Data Controllers in their own right in which case we will be joint controllers of your personal data and may be jointly liable in the event of any data breaches.

We may also share pupil data with a number of providers of software tools which may be used to: support pupil learning; monitor and report on pupil attainment and progress; deliver the educational curriculum; ensure the safety and wellbeing of pupils; communicate with parents; or to carry out other operational processes to

support our core activities as a public authority, under Article 6(e) of the UK GDPR. These providers act as data processors on our behalf, and are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow them to use your personal data for their own purposes, and we only permit them to process your personal data for specified purposes and in accordance with our instructions.

In the event that we share personal data about pupils with third parties or data processors, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data. Where necessary, we will carry out a Data Protection Impact Assessment (DPIA) to assess any risks involved.

### **3.5.1 Why we share pupil information**

We do not share information about our pupils with anyone without consent unless the law allows us to do so.

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

### **3.5.2 Data collection requirements**

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

### **3.5.3 The National Pupil Database (NPD)**

The NPD is owned and managed by the DfE and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the DfE. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to: <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis;
- producing statistics;
- providing information, advice or guidance.

The DfE has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data;
- the purpose for which it is required;
- the level and sensitivity of data requested; and

- the arrangements in place to store and handle the data.

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>.

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>.

To contact DfE: <https://www.gov.uk/contact-dfe>.

### **3.6 Requesting access to your personal data**

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold ("Subject Access Request"). Where a child does not have the maturity to make their own requests for personal data, parents may do so on their behalf in a primary school setting. To make a request for your child's personal data, or be given access to your child's educational record, contact the School Business Manager although any written request for personal data will be treated as a Subject Access Request.

Subject to the section below, the legal timescales for the School to respond to a Subject Access Request is one calendar month. As the School has limited staff resources outside of term time, we encourage parents / pupils to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. For further information about how we handle Subject Access Requests, please see our Data Protection Policy.

Parents of pupils who attend academies have a separate statutory right to receive an annual written report setting out their child's attainment for the main subject areas which are taught. This is an independent legal right of parents rather than a pupil's own legal right which falls outside of the UK GDPR, therefore a pupil's consent is not required even a pupil is able to make their own decisions in relation to their personal data, unless a court order is in place which states otherwise.

The term "parent" is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the pupil, with whom the pupil lives or whether the pupil has contact with that parent), and also includes non-parents who have parental responsibility for the pupil, or with whom the pupil lives. It is therefore possible for a pupil to have several "parents" for the purposes of education law.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of our data protection responsibilities.

We will always seek to comply any requests regarding your rights, however please note that we may still be required to hold or use your information to comply with legal duties.

For further information about your rights, including the circumstances in which they apply, see the [guidance](#)

from the Information Commissioners Office (ICO) on individuals' rights under the UK GDPR.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

#### **4. Privacy Notice – Trustees**

Hatfield Community Free School (HCFS) is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you before, during and after your working relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR).

HCFS is a two form entry primary free school in a single academy trust.

HCFS is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

The Data Protection Officer is Herts for Learning and can be contacted via the following email address: [dataprotectionofficer@hcfs.org.uk](mailto:dataprotectionofficer@hcfs.org.uk)

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Please see the Glossary at the end of this privacy notice for definitions of key terms.

#### **4.1 Data Protection Principles**

We will comply with UK data protection law. This says that the personal information we hold about you must be:

7. Used lawfully, fairly and in a transparent way;
8. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
9. Relevant to the purposes we have told you about and limited only to those purposes;
10. Accurate and kept up to date;
11. Kept only as long as necessary for the purposes we have told you about;
12. Kept securely.

#### **4.2 The type of information we hold about you**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
- Date of birth;
- Sex;
- Occupation;
- Start date;
- Skills and experience;
- Information acquired as part of your application to become a trustee (including copies of identity checks);
- Information about pecuniary or business interests held by you or your family members;
- Information about other posts held by you;

- Information about your conduct;
- Photographs.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions;
- Information about your health, including any medical condition;
- Information about your criminal record.

#### **4.3 How is your personal information collected?**

We collect personal information about trustees through the application and recruitment process, either directly from individuals or sometimes from an external organisation such as Governors for Schools.

We will also collect additional personal information in the course of trustee activities throughout the term of your appointment.

#### **4.4 How we will use information about you**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to comply with a legal obligation;
- Where we need to protect your interests (or someone else’s interests);
- Where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- Where we have your consent;
- Where it is necessary for our legitimate interests or the legitimate interests of a third party.

##### **4.4.1 Situations in which we will use your personal information**

The situations in which we will process your personal information include but are not limited to:

- Making a decision about whether to appoint you as a trustee;
- Dealing with any processes for the election of trustees;
- Checking your suitability to be a trustee;
- Complying with our general safeguarding obligations;
- Providing information on our website about our trustees;
- Providing information on any online databases to set out our governance arrangements;
- Communicating with stakeholders about the trust;
- Delivering the school services to our community, and to carry out any other voluntary or charitable activities for the benefit of the public as provided for in our constitution and statutory framework;
- Business management, administrative and planning purposes, including accounting and auditing;
- Financial information such as expenses claimed;
- Responding to complaints or investigations from stakeholders or our regulators;
- Sending you communications connected with your role as a trustee;
- Making decisions about your continued appointment as a trustee;
- Making arrangements for the termination of your appointment;
- Education, training and development requirements;
- For the purposes of carrying out governance reviews;
- Dealing with legal disputes involving you or other stakeholders;
- Complying with health and safety obligations;
- For the purposes of keeping records about trustee decision-making processes, including copies of minutes, reports and other documentation;

- Where you sit on a committee or a panel on a school or Trust matter we may process your name, opinions, comments and decisions attributed to you, for example, if you sit on a panel for the purposes of considering a complaint, exclusion or HR issue;
- To prevent fraud;
- To monitor your use of our information and communication systems to ensure compliance with our IT policies;
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution;
- To maintain and promote equality;
- To receive advice from external advisors and consultants;
- In appropriate circumstances to liaise with regulatory bodies, the Department for Education, the DBS and the Local Authority about your suitability to be a trustee or in connection with other regulatory matters.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

In addition, the School also uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or investigate other issues. CCTV footage involving trustees will only be processed to the extent that it is lawful to do so. Please see our CCTV Policy.

#### **4.4.2 If you fail to provide personal information**

If you fail to provide certain information when requested, we may be prevented from complying with our legal obligations (such as to discharge our safeguarding obligations) or we may be unable to discharge our obligations which may be in the public interest or for official purposes.

#### **4.4.3 Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

#### **4.5 How we use particularly sensitive personal information**

“Special categories” of particularly sensitive personal information require us to ensure higher levels of data protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where we need to carry out our legal obligations and in line with our Data Protection Policy;
- Where it is needed in the public interest and in line with our Data Protection Policy.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

#### **4.5.1 Our obligations**

We will use your particularly sensitive personal information in the following ways:

- We will hold information relating to sickness-related absence from your trustee commitments;

- We will use information about your physical or mental health, or disability status, to ensure your health and safety and to provide appropriate adjustments to comply with the Equality Act 2010.

#### **4.5.2 Do we need your consent?**

We do not need your consent if we use your particularly sensitive information in accordance with our written policy where processing is necessary:

- for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- for reasons of substantial public interest, on the basis of domestic law which shall be proportionate to the aim pursued, where we respect the essence of the right to data protection and where we provide for suitable and specific measures to safeguard your fundamental rights.

#### **4.6 Information about criminal convictions**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our Data Protection Policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We envisage that we will hold information about criminal convictions, for example, if information about criminal convictions comes to light as a result of our appointment and Disclosure and Barring Service checks, or if information about criminal convictions comes to light during your time as a trustee.

#### **4.7 Automated Decision Making**

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

- Where we have notified you of the decision and given you 21 days to request a reconsideration;
- In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

#### **4.8 Data sharing with third parties**

We may have to share your data with third parties, including third-party service providers and other organisations.

In particular, we may share your data with organisations including, but not limited to, the following:

- the Local Authority;
- the Department for Education;
- the Education & Skills Funding Agency;

- the Disclosure and Barring Service;
- the Police or other law enforcement agencies;
- our IT provider;
- other external consultants;
- insurance providers / the Risk Protection Arrangement.

We require third parties to respect the security of your data and to treat it in accordance with the law. Some of the organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.

#### **4.8.1 Why might we share your personal information with third parties?**

We will share your personal information with third parties where required by law, in connection with legal proceedings, where it is needed in the public interest or for official purposes or where we have your consent.

#### **4.8.2 Which third party service providers process your personal information?**

“Third parties” includes third-party service providers (including contractors and designated agents). The following activities are carried out by third-party service providers: IT services.

#### **4.8.3 How secure is your information with third-party service providers?**

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

#### **4.8.4 What about other third parties?**

We may share your personal information with other third parties, for example in the context of the possible academy conversion or merger/joining another Multi Academy Trust. We may also need to share your personal information with a regulator or to otherwise comply with the law.

From time to time, we may disclose your personal data in response to a request for information pursuant to the Freedom of Information Act 2000 or following a data Subject Access Request. We may approach you for your consent but, in any event, we will only disclose your personal data if we are satisfied that it is reasonable to do so in all the circumstances. This means that we may refuse to disclose some or all of your personal data following receipt of such a request.

### **4.9 Transferring information outside the EU**

The personal information that we collect is stored within the UK and European Economic Area (EEA). However, there may be some circumstances where it is necessary to transfer and store personal information at a destination outside the UK or the EEA. In these circumstances, we will take all steps reasonably necessary to ensure that personal information is treated securely and in accordance with data protection law and, in the event that personal information is transferred outside the UK or the EEA, shall ensure that this is carried out subject to the requirements of the UK GDPR.

### **4.10 Data security**

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties who are processing personal data on our behalf will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being

accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

#### **4.11 Data retention**

##### **4.11.1 How long will we use your information for?**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, insurance or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Data Retention Policy. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a trustee of the school we will retain and securely destroy your personal information in accordance with our Data Retention Policy.

#### **4.12 Rights of Access, Correction, Erasure and Restriction**

##### **4.12.1 Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your appointment as a trustee.

##### **4.12.2 Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (data subject access request). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it;
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected;
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below);
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes;
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it;
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the School Business Manager in writing.

We will always seek to comply any requests regarding your rights, however please note that we may still be

required to hold or use your information to comply with legal duties.

For further information about your rights, including the circumstances in which they apply, see the [guidance](#) from the Information Commissioners Office (ICO) on individuals' rights under the UK GDPR.

The legal timescales for the school / trust to respond to a Subject Access Request is one calendar month. As the school / trust has limited staff resources outside of term time, we encourage you to submit any Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. For further information about how we handle Subject Access Requests, please see our Subject Access Request Policy.

## **5. Right to withdraw consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the School Business Manager. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## **6. Data Protection Officer**

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

## **7. Glossary of Terms**

Biometric Data	Personal Data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics which allow or confirm the unique identification of that person, such as fingerprints.
Consent	Any freely given, specific, informed and unambiguous indication of the Data Subject's wishes by which they, by a statement or by a clear affirmative action, signify agreement to the Processing of Personal Data relating to them.
Data Controller	Exercises overall control over the purposes and means of the Processing of personal data.
Data Processor	Acts on behalf of, and only on the instructions of, the relevant Controller.
Data Protection Officer (DPO)	Monitors internal compliance of an organisation, informs and advises on data protection obligations.
Data Subject	Data Subjects for the purpose of this policy include all living individuals about whom we hold Personal Data.
Data User	Data Users include employees, volunteers, trustees whose work involves using Personal Data.
Information Commissioner's Office (ICO)	Independent public body responsible for ensuring compliance with the UK's data protection regulations by providing guidance, investigating breaches of the regulations and dealing with complaints.
Parent	Parent has the meaning given in the Education Act 1996 and includes any person having parental responsibility or care of a child
Personal Data	Any information relating to an identified or identifiable natural person, which could be as simple as a name or a number, or which could include other identifiers e.g. date of birth, photo, IP address etc.
Personal Data Breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to Personal Data.
Privacy by Design	Implementing appropriate technical and organisational measures in an effective manner to ensure compliance with the GDPR
Processing	Any operation which is performed on Personal Data, such as collection, recording, organisation, structuring, storage, adaptation or alteration, erasure or destruction.
Special Category Data	Personal Data revealing or concerning racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data (where used for identification purposes), health and sexual orientation.

Subject Access Request (SAR)	A formal request from a data subject for information, including Personal Data, which an organisation holds about them.
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### **8. Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.