

## Privacy Notice for parents and carers – use of your personal data

### Introduction

Under UK data protection law, individuals have a right to be informed about how our trust 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 **parents and carers of pupils at our schools.**

We, Birmingham Diocesan Multi-Academy Trust, are the 'data controller' for the purposes of UK data protection law.

Birmingham Diocesan Multi-Academy Trust Schools:

Austrey Church of England Primary School – Warwickshire  
 Bentley Heath Church of England Primary School - Solihull  
 Christ Church, Church of England Secondary Academy – Yardley Wood  
 Coleshill Church of England Primary School – Coleshill (North Warwickshire)  
 Hawkesley Church Primary Academy – Kings Norton  
 Holy Trinity Church of England Primary Academy – Handsworth  
 Lady Katherine Leveson Church of England Primary School - Solihull  
 Nethersole Church of England Primary Academy – Polesworth (North Warwickshire)  
 Nonsuch Primary School – Woodgate Valley  
 Newton Regis Church of England Primary School – Tamworth (Staffordshire)  
 Quinton Church Primary School -Quinton  
 St. Clement's Church of England Primary Academy – Nechells  
 St. George's Church of England Primary Academy – Edgbaston  
 St. George's Church of England Primary Academy – Newtown  
 St. Margaret's Church of England Primary School - Solihull  
 St. Michael's Church of England Primary Academy – Handsworth  
 St. Michael's Church of England Primary Academy – Bartley Green  
 Warton Nethersole's Church of England Primary School - Tamworth (Staffordshire)  
 Woodside Church of England Primary School – Warwickshire

We are an education organisation and our contact details are:

Address:	1 Colmore Row, Birmingham, B3 2BJ
Email:	<a href="mailto:enquiries@bdiat.org.uk">enquiries@bdiat.org.uk</a>
Telephone number:	0121 426 0403

Our Data Protection Officer (DPO) is Michele Fullwood, Head of School Support, who can be contacted at 1 Colmore Row, Birmingham, B3 2BJ, [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk) or 0121 426 0403 if you have any queries about this notice or anything related to data protection.

### **The personal data we hold.**

Personal data that we may collect, use, store and share (when appropriate) about you includes but is not restricted to:

- Contact details and contact preferences (such as your name, address, email address and telephone numbers)
- Bank details
- Details of your family circumstances
- Details of any safeguarding information including court orders or professional involvement
- Records of correspondence and contact with us
- Details of any complaints you have made

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

1. Any health conditions you have that we need to be aware of
2. Photographs and CCTV images captured in school
3. For our faith schools: Your religion, as part of our admission arrangements

We may also hold data about you that we have received from other organisations, including other schools and social services.

### **Why we use this data**

We use the data listed above to:

- a) Report to you on your child's attainment and progress
- b) Keep you informed about the running of the school (such as emergency closures) and events
- c) Process payments for school services and clubs
- d) Provide appropriate pastoral care

- e) Protect pupil welfare
- f) Administer admissions waiting lists
- g) Assess the quality of our services
- h) Carry out research
- i) Comply with our legal and statutory obligations

### **Use of your personal data for marketing purposes**

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by contacting us (see 'Contact us' below).

### **Use of your personal data in automated decision making and profiling**

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices to explain the processing to you, including your right to object to it.

### **The lawful basis for which we use this information**

Our lawful bases for processing your personal data for the purposes listed in "**Why we use this data**" section above are as follows:

For the purposes of a) b) c) d) f) g) and h) from the section "**Why we use this data**" in accordance with the "public task" basis – we need to process personal data to fulfil our statutory function as a school as set out here:

- The Education Act 1996 requires that schools operate and that children in England and Wales aged five to 16 receive full-time education
- Coronavirus Act 2020 Provision of Remote Education (England) Temporary Continuity Direction ('the Direction') which requires schools to provide online learning for all its pupils during COVID19 Lockdowns.

For the purposes of b) d) e) and i) from the section **“Why we use this data”** in accordance with the “public task” basis – we need to process personal data to process data to fulfil our statutory function as a school as set out here:

- The Children Acts of 1989 and 2004
- Keeping Children Safe in Education
- Working Together to Safeguard Children

For the purposes of i) from the section **“Why we use this data”** in accordance with the “Legal Obligation” basis – we need to process personal data to meet our responsibilities under law as set out here:

- UKGDPR and Data Protection Act 2018

For the purposes of b) and c) from the section **“Why we use this data”** in accordance with the “Legitimate Interests” basis - where there is a minimal privacy impact, and we have a compelling reason including:

- where we let out school facilities, arrange or facilitate after-school or extra-curricular activities, or sporting events not part of taught sports in the school.
- Where we engage with third parties to provide resources for pupil learning
- Where we engage with third parties to provide catering for pupils (school meals)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so.

### **Our basis for using special category data**

For ‘special category’ data, we only collect and use it when we have both a lawful basis, as set out above, 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, as set out above, 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 data**

Whilst the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so what the possible consequences are of not complying) or whether you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about your from:

- Local Authorities

- Government departments or agencies
- Your children
- Previous schools or nurseries
- Other professionals
- Police forces, courts, tribunals

### **How we store this data**

We keep personal information about you while your child is attending one of our schools. We may also keep it beyond their attendance at one of our schools if this is necessary in order to comply with our legal obligations.

Our data retention guidelines, which can be found on the BDMAT website <https://bdmatschools.com/documents/bdmat-retention-policy/> sets out how long we keep information about parents and carers and a copy is available via the link above.

We have put in place appropriate security measures to prevent personal information being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

### **Who we share data with.**

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

Where it is legally required, or necessary (and complies with UK data protection law) we may share personal information about you with:

- Schools/academies that your child attends after leaving us; to assist them in discharging their legal duties.
- Our local authorities; to meet our legal obligations such as safeguarding concerns and exclusions.
- Other local authorities; to share information if you should move out of the area
- The Department for Education (DfE); for statutory returns
- Our regulator – Ofsted
- Our auditors
- The NHS; to assist them in discharging their legal duties
- NHS Track and Trace
- Schools nurses; to assist them in discharging their legal duties
- Health and social welfare organisations
- Professional advisers and consultants
- Police forces, courts, tribunals
- Survey and research organisations

- Suppliers and service providers – to enable them to provide the service we have contracted them for. For example:
- Sodexo - Outsourced provider of school lunches
- Seesaw - Outsourced provider for text messaging
- Warwickshire Local Authority - Outsourced provider for free school meal entitlement tracker
- Laches Wood Outdoor Education Centre/Evolve – Outsourced provider for Year 6 residential trip
- Tapestry - Outsourced provider for reception children’s academic progress
- CPOMMS - Outsourced provider for safeguarding monitoring of all pupils
- Seesaw - Outsourced provider for e-learning service for pupils
- TT Rockstars, Spelling Shed and Purple Mash - Apps and curriculum on-line learning tools for pupils

### **Transferring data internationally**

We may share personal information about you with the following international third parties, where different data protection legislation applies:

- 3P (Mathletics) has its main data location as the East US 2 region within Microsoft Azure. In accordance with EU GDPR requirements, Microsoft Azure complies with both the EU-US privacy shield and EU Model Clauses.
- The Schoolcomms Products and Services only processes personal information in the UK. Some supporting services (EG Microsoft CRM), might use cloud platforms that operate from Third Countries outside of the EEA. Where this is the case, Schoolcomms ensure that adequate safeguards are established to protect your data.
- Class Dojo complies with the requirements set forth in the EU-U.S. and Swiss-U.S. Privacy Shield.

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

### **Your Rights**

#### **How to access to personal information that we hold about you – Subject Access Request (SAR)**

You have a right to make a “subject access request” to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that 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
- 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

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

Subject access requests can be made verbally. To ensure that your verbal request is fully understood the Information Commissioners Office (ICO) on their website say the following:

*Yes. You can make a subject access request verbally, but we recommend you put it in writing if possible because this gives you a record of your request.*

*If you are making a verbal request, try to:*

- *use straightforward, polite language;*
- *focus the conversation on your subject access request;*
- *discuss the reason for your request, if this is appropriate – work with them to identify the type of information you need and where it can be found;*
- *ask them to make written notes – especially if you are asking for very specific information; and*
- *check their understanding – ask them to briefly summarise your request and inform them if anything is incorrect or missing before finishing the conversation.*

*However, even if you make your request verbally, we recommend you follow it up in writing (eg by letter, email or using a standard form).*

So, to avoid confusion we ask you when making a subject access request, you do so by contacting our Data Protection Officer, Michele Fullwood, in writing to Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or by email to [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk)

### **Your other rights regarding your data.**

Under UK data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:



- Object to processing of your personal data
- Prevent processing of your personal data for the purpose of direct marketing.
- Object to decisions being taken by automated means.
- In certain circumstances, have your personal data rectified, erased or restricted in its processing
- Withdraw your consent, where you have previously provided it for collection, processing and transfer of your personal data for a specific purpose.
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the Data Protection Regulations.

To exercise any of these rights, please contact our Data Protection Officer, Michele Fullwood, Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or email [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk)

### **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 contact either our Data Protection Officer, Michele Fullwood, Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk)

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- 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, Michele Fullwood, Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk)

### **Last Updated**

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was drafted on December 17<sup>th</sup>, 2021.