

Under UK data protection law, individuals have a right to be informed about how the 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 academies**.

We, Empower Learning Academy Trust, are the ‘data controller’ for the purposes of UK data protection law. Our Data Protection Officer is Graham Francis (see ‘Contact us’ below).

### The personal data we hold

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

- Contact details, contact preferences, date of birth, identification documents
- Bank details
- Details of your family circumstances
- Details of any safeguarding information including court orders or professional involvement
- Records of your 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 health conditions you have that we need to be aware of.
- Photographs and CCTV images captured in our Trust

We may also hold data about you that we have received from other organisations, including other schools, local authorities and the Department for Education in accordance with the requirements of UK GDPR.

### Why we use this data

We use this data to:

- Monitor and report to you on your child’s attainment and progress
- Keep you informed about the running of the academy (such as emergency closures) and events
- Process payments for school services and clubs

- Provide appropriate pastoral care
- Protect pupil welfare
- Administer admissions waiting lists
- Assess the quality of our services
- Carry out research
- Comply with legal and statutory obligations

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

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

### Our legal basis for using this data

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

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

Less commonly, we may also process parents' and carers' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using personal data overlap, and there may be several grounds which justify our use of this data.

### Collecting this information

While 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 providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

### How we store this data

We keep personal information about parents' and carers' while their child attends our Trust. We may also keep it beyond their attendance at our Trust if this is necessary in order to comply with our legal obligations. Our data retention schedule sets out how long we keep information about pupils.

If you would like a copy of the Trusts record retention schedule, please contact the Chief Operating Officer.

### Data sharing

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 it complies with UK data protection law) we may share personal information about you with:

- Our local authority, London Borough of Havering, – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- The pupil’s family and representatives
- Educators and examining bodies
- Ofsted
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

### National Pupil Database

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

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

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

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

For more information, see the Department's webpage on **how it collects and shares research data**.

You can also **contact the Department for Education** with any further questions about the NPD.

## **Youth support services**

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to the London Borough of Havering and Prospects, as it has legal responsibilities regarding the education or training of 13–19-year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

Parents/carers, or pupils once aged 16 or over, can contact our Data Protection Officer to request that we only pass the individual's name, address and date of birth to the London Borough of Havering and Prospects.

## **Transferring data internationally**

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

## **Parents and pupils' rights regarding personal data**

Individuals have a right to make a '**subject access request**' to gain access to personal information that the Trust holds about them.

Parents/Carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

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

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for

- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form which may be redacted to protect the personal data of other individuals

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our Data Protection Officer.

The Trust gives parents the right to access to their child's **educational record**. To request access, please contact the Data Protection Officer.

## Other rights

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

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Withdraw your consent, where you previously provided it for the 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 Commissioners Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Chief Operating Officer.

## Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer.

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



**EMPOWER**  
LEARNING ACADEMY TRUST

## Privacy notice for parents/carers - use of your personal data

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

### Contact us

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

- Graham Francis by email [dpo@elatrust.co.uk](mailto:dpo@elatrust.co.uk)