Burghfield Common Federation

Mrs Bland's Infant and Nursery School

and

Garland Junior School

Data Protection Policy

and Privacy Notices

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1. Aims

Our federation aims to ensure that all personal data collected about staff, pupils, parents and carers, governors, visitors and other individuals is collected, stored and processed in accordance with UK data protection law.

This policy applies to all personal data, regardless of whether it is in paper or electronic format.

2. Legislation and guidance

This policy meets the requirements of the:

- UK General Data Protection Regulation (UK GDPR) – the EU GDPR was incorporated into UK legislation, with some amendments, by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2020
- Data Protection Act 2018 (DPA 2018)

It is based on guidance published by the Information Commissioner's Office (ICO) on the UK GDPR and guidance from the Department for Education (DfE) on Generative artificial intelligence in education.

It meets the requirements of the Protection of Freedoms Act 2012 when referring to our use of biometric data.

It also reflects the ICO's guidance for the use of surveillance cameras and personal information.

In addition, this policy complies with regulation 5 of the Education (Pupil Information) (England) Regulations 2005, which gives parents the right of access to their child's educational record.

3. Definitions

TERM	DEFINITION
Personal data	Any information relating to an identified, or identifiable, living individual. This may include the individual's: › Name (including initials) › Identification number › Location data › Online identifier, such as a username It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.
Special categories of personal data	Personal data which is more sensitive and so needs more protection, including information about an individual's: › Racial or ethnic origin › Political opinions › Religious or philosophical beliefs › Trade union membership › Genetics › Biometrics (such as fingerprints, retina and iris patterns), where used for identification purposes › Health – physical or mental › Sex life or sexual orientation
Processing	Anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying. Processing can be automated or manual.
Data subject	The identified or identifiable individual whose personal data is held or processed.
Data controller	A person or organisation that determines the purposes and the means of processing personal data.
Data processor	A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller.
Personal data breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

4. The data controller

Our federation processes personal data relating to parents and carers, pupils, staff, governors, visitors and others, and therefore is a data controller.

The federation is registered with the ICO , as legally required.

5. Roles and responsibilities

This policy applies to **all staff** employed by our federation, and to external organisations or individuals working on our behalf as well as volunteers and contractors. Staff who do not comply with this policy may face disciplinary action.

5.1 Governing board

The governing board has overall responsibility for ensuring that our federation complies with all relevant data protection obligations.

5.2 Data protection officer (DPO)
The data protection officer (DPO) is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable.
They will provide an annual report of their activities directly to the governing board and, where relevant, report to the board their advice and recommendations on federation data protection issues.
The DPO is also the first point of contact for individuals whose data the federation processes, and for the ICO.

Full details of the DPO's responsibilities are set out in their job description.

Our DPO is **Gerard Strong** and is contactable via **gerard.strong1@westberks.gov.uk**

5.3 Executive Headteacher
The Executive Headteacher acts as the representative of the data controller on a day-to-day basis.

5.4 All staff
Staff are responsible for:
- Collecting, storing and processing any personal data in accordance with this policy
- Informing the federation of any changes to their personal data, such as a change of address
- Contacting the DPO in the following circumstances:
    - With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure
    - If they have any concerns that this policy is not being followed
    - If they are unsure whether they have a lawful basis to use personal data in a particular way
    - If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the UK
    - If there has been a data breach
    - Whenever they are engaging in a new activity that may affect the privacy rights of individuals
    - If they need help with any contracts or sharing personal data with third parties

6. Data protection principles
The UK GDPR is based on data protection principles that our federation must comply with.
The principles say that personal data must be:
- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary for the purposes for which it is processed
- Processed in a way that ensures it is appropriately secure

This policy sets out how the federation aims to comply with these principles.

7. Collecting personal data
7.1 Lawfulness, fairness and transparency
We will only process personal data where we have 1 of 6 'lawful bases' (legal reasons) to do so under data protection law:
- The data needs to be processed so that the federation can **fulfil a contract** with the individual, or the individual has asked the federation to take specific steps before entering into a contract
- The data needs to be processed so that the federation can **comply with a legal obligation**
- The data needs to be processed to ensure the **vital interests** of the individual or another person i.e. to protect someone's life

- The data needs to be processed so that the federation, as a public authority, can **perform a task in the public interest or exercise its official authority**
- The data needs to be processed for the **legitimate interests** of the federation (where the processing is not for any tasks the federation performs as a public authority) or a third party, provided the individual's rights and freedoms are not overridden
- The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent**

For special categories of personal data, we will also meet 1 of the special category conditions for processing under data protection law:

- The individual (or their parent/carer when appropriate in the case of a pupil) has given **explicit consent**
- The data needs to be processed to perform or exercise obligations or rights in relation to **employment, social security or social protection law**
- The data needs to be processed to ensure the **vital interests** of the individual or another person, where the individual is physically or legally incapable of giving consent
- The data has already been made **manifestly public** by the individual
- The data needs to be processed for the establishment, exercise or defence of **legal claims**
- The data needs to be processed for reasons of **substantial public interest** as defined in legislation
- The data needs to be processed 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
- The data needs to be processed 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
- The data needs to be processed for **archiving purposes**, scientific or historical research purposes, or statistical purposes, and the processing is in the public interest

For criminal offence data, we will meet both a lawful basis and a condition set out under data protection law. Conditions include:

- The individual (or their parent/carer when appropriate in the case of a pupil) has given **consent**
- The data needs to be processed to ensure the **vital interests** of the individual or another person, where the individual is physically or legally incapable of giving consent
- The data has already been made **manifestly public** by the individual
- The data needs to be processed for or in connection with legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of **legal rights**
- The data needs to be processed for reasons of **substantial public interest** as defined in legislation

Whenever we first collect personal data directly from individuals, we will provide them with the relevant information required by data protection law.

We will always consider the fairness of our data processing. We will ensure we do not handle personal data in ways that individuals would not reasonably expect or use personal data in ways which have unjustified adverse effects on them.

7.2 Limitation, minimisation and accuracy

We will only collect personal data for specified, explicit and legitimate reasons. We will explain these reasons to the individuals when we first collect their data.

If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned before we do so, and seek consent where necessary.

Staff must only process personal data where it is necessary to do their jobs.

We will keep data accurate and, where necessary, up to date. Inaccurate data will be rectified or erased when appropriate.

In addition, when staff no longer need the personal data they hold, they must ensure it is deleted or anonymised. This will be done in accordance with the federation's record retention schedule.

8. Sharing personal data

We will not normally share personal data with anyone else without consent, but there are certain circumstances where we may be required to do so. These include, but are not limited to, situations where:

- There is an issue with a pupil or parent/carer that puts the safety of our staff at risk
- We need to liaise with other agencies – we will seek consent as necessary before doing this
- Our suppliers or contractors need data to enable us to provide services to our staff and pupils – for example, IT companies. When doing this, we will:
    - Only appoint suppliers or contractors that can provide sufficient guarantees that they comply with UK data protection law
    - Establish a contract with the supplier or contractor to ensure the fair and lawful processing of any personal data we share
    - Only share data that the supplier or contractor needs to carry out their service

We will also share personal data with law enforcement and government bodies where we are legally required to do so.

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

Where we transfer personal data internationally, we will do so in accordance with UK data protection law.

9. Subject access requests and other rights of individuals

9.1 Subject access requests

Individuals have a right to make a 'subject access request' to gain access to personal information that the federation holds about them. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- Where relevant, the existence of the right to request rectification, erasure or restriction, or to object to such processing
- The right to lodge a complaint with the ICO or another supervisory authority
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual
- The safeguards provided if the data is being transferred internationally

Subject access requests can be submitted in any form, but we may be able to respond to requests more quickly if they are made in writing and include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested

If staff receive a subject access request in any form they must immediately forward it to the DPO.

9.2 Children and subject access requests

Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent.

Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or

carers of pupils at our federation may be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

9.3 Responding to subject access requests

When responding to requests, we:

- May ask the individual to provide 2 forms of identification
- May contact the individual via phone to confirm the request was made
- Will respond without delay and within 1 month of receipt of the request (or receipt of the additional information needed to confirm identity, where relevant)
- Will provide the information free of charge
- May tell the individual we will comply within 3 months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within 1 month, and explain why the extension is necessary

We may not disclose information for a variety of reasons, such as if it:

- Might cause serious harm to the physical or mental health of the pupil or another individual
- Would reveal that the child is being or has been abused, or is at risk of abuse, where the disclosure of that information would not be in the child's best interests
- Would include another person's personal data that we can't reasonably anonymise, and we don't have the other person's consent and it would be unreasonable to proceed without it
- Is part of certain sensitive documents, such as those related to crime, immigration, legal proceedings or legal professional privilege, management forecasts, negotiations, confidential references, or exam scripts

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee to cover administrative costs. We will take into account whether the request is repetitive in nature when making this decision.

When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO or they can seek to enforce their subject access right through the courts.

9.4 Other data protection rights of the individual

In addition to the right to make a subject access request (see above), and to receive information when we are collecting their data about how we use and process it (see section 7), individuals also have the right to:

- Withdraw their consent to processing at any time
- Ask us to rectify, erase or restrict processing of their personal data (in certain circumstances – not when it is related to safeguarding)
- Prevent use of their personal data for direct marketing
- Object to processing that has been justified on the basis of public interest, official authority or legitimate interests
- Challenge decisions based solely on automated decision making or profiling (i.e. making decisions or evaluating certain things about an individual based on their personal data with no human involvement)
- Be notified of a data breach (in certain circumstances)
- Make a complaint to the ICO
- Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

Individuals should submit any request to exercise these rights to the DPO. If staff receive such a request, they must immediately forward it to the DPO.

10. Parental requests to see the educational record

Parents, or those with parental responsibility, have a legal right to free access to their child's educational record (which includes most information about a pupil) within 15 school days of receipt of a written request.

If the request is for a copy of the educational record, the federation may charge a fee to cover the cost of supplying it.
This right applies as long as the pupil concerned is aged under 18.
There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

11. CCTV
We use CCTV in various locations around the federation site to ensure it remains safe. We will follow the ICO's guidance for the use of CCTV, and comply with data protection principles.
We do not need to ask individuals' permission to use CCTV, but we make it clear where individuals are being recorded. Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use.
Any enquiries about the CCTV system should be directed to the Executive Headteacher.

12. Photographs and videos
As part of our federation activities, we may take photographs and record images of individuals within our federation.
We will obtain written consent from parents/carers for photographs and videos to be taken of their child for communication, marketing and promotional materials. We will clearly explain how the photograph and/or video will be used to both the parent/carer and the pupil.
Any photographs and videos taken by parents/carers at federation events for their own personal use are not covered by data protection legislation. However, we will ask that photos or videos with other pupils are not shared publicly on social media for safeguarding reasons, unless all the relevant parents/carers have agreed to this.

Where the federation takes photographs and videos, uses may include:
- Within federation on notice boards and in federation magazines, brochures, newsletters, etc.
- Outside of federation by external agencies such as the school photographer, newspapers, campaigns
- Online on our federation website or social media pages

Consent can be refused or withdrawn at any time. If consent is withdrawn, we will delete the photograph or video and not distribute it further.
When using photographs and videos in this way we will not accompany them with any other personal information about the child, to ensure they cannot be identified.

13. Artificial intelligence (AI)
Artificial intelligence (AI) tools are now widespread and easy to access. Staff, pupils and parents/carers may be familiar with generative chatbots such as ChatGPT and Google Bard. BCF recognises that AI has many uses to help pupils learn, but also poses risks to sensitive and personal data.
To ensure that personal and sensitive data remains secure, no one will be permitted to enter such data into unauthorised generative AI tools or chatbots.
If personal and/or sensitive data is entered into an unauthorised generative AI tool, BCF will treat this as a data breach, and will follow the personal data breach procedure outlined in appendix 1.

14. Data protection by design and default
We will put measures in place to show that we have integrated data protection into all of our data processing activities, including:
- Appointing a suitably qualified DPO, and ensuring they have the necessary resources to fulfil their duties and maintain their expert knowledge
- Only processing personal data that is necessary for each specific purpose of processing, and always in line with the data protection principles set out in relevant data protection law (see section 6)

- Completing data protection impact assessments where the federation's processing of personal data presents a high risk to rights and freedoms of individuals, and when introducing new technologies (the DPO will advise on this process)
- Integrating data protection into internal documents including this policy, any related policies and privacy notices
- Regularly training members of staff on data protection law, this policy, any related policies and any other data protection matter; we will also keep a record of attendance
- Regularly conducting reviews and audits to test our privacy measures and make sure we are compliant
- Appropriate safeguards being put in place if we transfer any personal data outside of the UK, where different data protection laws may apply
- Maintaining records of our processing activities, including:
    - For the benefit of data subjects, making available the name and contact details of our federation and DPO, and all information we are required to share about how we use and process their personal data (via our privacy notices – see Appendices)
    - For all personal data that we hold, maintaining an internal record of the type of data, type of data subject, how and why we are using the data, any third-party recipients, any transfers outside of the UK and the safeguards for those, retention periods and how we are keeping the data secure.

15. Data security and storage of records

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

In particular:

- Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal data, are kept under lock and key when not in use
- Papers containing confidential personal data must not be left on office and classroom desks, on staffroom tables, or left anywhere else where there is general access
- Where personal information needs to be taken off site, staff must sign it in and out from the relevant federation office
- Passwords that are at least 10 characters long containing letters and numbers are used to access federation computers, laptops and other electronic devices. Staff and pupils are reminded that they should not reuse passwords from other sites
- Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices
- Staff, pupils or governors who store personal information on their personal devices are expected to follow the same security procedures as for federation-owned equipment (see our Online e-safety policy and Acceptable Use Internet and IT Policy on our website).
- Where we need to share personal data with a third party, we carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected (see section 8).

16. Disposal of records

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.

For example, we will shred or incinerate paper-based records and overwrite or delete electronic files. We may also use a third party to safely dispose of records on the federation's behalf. If we do so, we will require the third party to provide sufficient guarantees that it complies with data protection law.

17. Personal data breaches

The federation will make all reasonable endeavours to ensure that there are no personal data breaches.

In the unlikely event of a suspected data breach, we will follow the procedure set out in appendix 1.

When appropriate, we will report the data breach to the ICO within 72 hours after becoming aware of it.

Such breaches in a school context may include, but are not limited to:

- A non-anonymised dataset being published on the federation website, which shows the exam results of pupils eligible for the pupil premium
- Safeguarding information being made available to an unauthorised person
- The theft of a federation laptop containing non-encrypted personal data about pupils

18. Training

All staff and governors are provided with data protection training as part of their induction process.
Data protection will also form part of continuing professional development, where changes to legislation, guidance or the federation's processes make it necessary.

19. Monitoring arrangements

The DPO is responsible for monitoring and reviewing this policy.
This policy will be reviewed annually and approved by the full governing board.

20. Links with other policies

This data protection policy is linked to our:
- Freedom of information publication scheme
- Privacy notices (in Appendix)
- Online e-safety policy and Acceptable Use Internet and IT Policy

Appendix 1: Personal data breach procedure

This procedure is based on guidance on personal data breaches produced by the Information Commissioner's Office (ICO).

- On finding or causing a breach or potential breach, the staff member, governor or data processor must immediately notify the data protection officer (DPO) by email and verbally
- The DPO will investigate the report and determine whether a breach has occurred. To decide, the DPO will consider whether personal data has been accidentally or unlawfully:
    - Lost
    - Stolen
    - Destroyed
    - Altered
    - Disclosed or made available where it should not have been
    - Made available to unauthorised people
- Staff and governors will co-operate with the investigation (including allowing access to information and responding to questions). The investigation will not be treated as a disciplinary investigation
- If a breach has occurred or it is considered to be likely that is the case, the DPO will alert the Executive Headteacher and the chair(s) of governors
- The DPO will make all reasonable efforts to contain and minimise the impact of the breach. Relevant staff members or data processors should help the DPO with this where necessary, and the DPO should take external advice when required (e.g. from IT providers). (See the actions relevant to specific data types at the end of this procedure)
- The DPO will assess the potential consequences (based on how serious they are and how likely they are to happen) before and after the implementation of steps to mitigate the consequences
- The DPO will work out whether the breach must be reported to the ICO and the individuals affected using the ICO's self-assessment tool
- The DPO will document the decisions (either way), in case the decisions are challenged at a later date by the ICO or an individual affected by the breach. Documented decisions are stored in the federation's computer system
- Where the ICO must be notified, the DPO will do this via the 'report a breach' page of the ICO website, or through its breach report line (0303 123 1113), within 72 hours of the federation's awareness of the breach. As required, the DPO will set out:
    - A description of the nature of the personal data breach including, where possible:
        - The categories and approximate number of individuals concerned
        - The categories and approximate number of personal data records concerned
    - The name and contact details of the DPO
    - A description of the likely consequences of the personal data breach
    - A description of the measures that have been, or will be taken, to deal with the breach and mitigate any possible adverse effects on the individual(s) concerned
- If all the above details are not yet known, the DPO will report as much as they can within 72 hours of the federation's awareness of the breach. The report will explain that there is a delay, the reasons why, and when the DPO expects to have further information. The DPO will submit the remaining information as soon as possible
- Where the federation is required to communicate with individuals whose personal data has been breached, the DPO will tell them in writing. This notification will set out:
    - A description, in clear and plain language, of the nature of the personal data breach
    - The name and contact details of the DPO
    - A description of the likely consequences of the personal data breach
    - A description of the measures that have been, or will be, taken to deal with the data breach and mitigate any possible adverse effects on the individual(s) concerned

- The DPO will consider, in light of the investigation and any engagement with affected individuals, whether to notify any relevant third parties who can help mitigate the loss to individuals – for example, the police, insurers, banks or credit card companies
- The DPO will document each breach, irrespective of whether it is reported to the ICO. For each breach, this record will include the:
    - Facts and cause
    - Effects
    - Action taken to contain it and ensure it does not happen again (such as establishing more robust processes or providing further training for individuals)

  Records of all breaches will be stored on the federation's computer system
- The DPO and headteacher will meet to review what happened and how it can be stopped from happening again. This meeting will happen as soon as reasonably possible
- The DPO and Online e-safety policy and Acceptable IT Use Policy will meet regularly to assess recorded data breaches and identify any trends or patterns requiring action by the federation to reduce risks of future breaches

Actions to minimise the impact of data breaches

We set out below the steps we might take to try and mitigate the impact of different types of data breach if they were to occur, focusing especially on breaches involving particularly risky or sensitive information. We will review the effectiveness of these actions and amend them as necessary after any data breach.

Sensitive information being disclosed via email (including safeguarding records)

- If special category data (sensitive information) is accidentally made available via email to unauthorised individuals, the sender must attempt to recall the email as soon as they become aware of the error
- Members of staff who receive personal data sent in error must alert the sender and the DPO as soon as they become aware of the error

If the sender is unavailable or cannot recall the email for any reason, the DPO will ask the Executive Headteacher to attempt to recall it from external recipients and remove it from the federation's email system (retaining a copy if required as evidence).

In any cases where the recall is unsuccessful or cannot be confirmed as successful, the DPO will consider whether it's appropriate to contact the relevant unauthorised individuals who received the email, explain that the information was sent in error, and request that those individuals delete the information and do not share, publish, save or replicate it in any way

- The DPO will endeavor to obtain a written response from all the individuals who received the data, confirming that they have complied with this request
- The DPO will carry out an internet search to check that the information has not been made public; if it has, we will contact the publisher/website owner or administrator to request that the information is removed from their website and deleted

If safeguarding information is compromised, the DPO will inform the designated safeguarding lead and discuss whether the federation should inform any, or all, of its local safeguarding partners

Other types of breach could include:

- Details of pupil premium interventions for named children being published on the federation website
- Non-anonymised pupil exam results or staff pay information being shared with governors
- A federation laptop containing non-encrypted sensitive personal data being stolen or hacked
- The federation's cashless payment provider being hacked and parents' financial details stolen
- Hardcopy reports sent to the wrong pupils or families

Privacy Notices
Appendix 2 Privacy Notice for Parents and Carers

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1. Introduction

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

We, Burghfield Common Federation (Mrs Bland's Infant and Nursery School and Garland Junior School) are the 'data controller' for the purposes of UK data protection law.

2. 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 your correspondence and contact with us
- Details of any complaints you have made
- Information about your use of our information and communication systems, equipment and facilities (e.g. federation computers)

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 any health conditions you have that we need to be aware of
- Photographs and CCTV images captured in our federation

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

3. Why we use this data

We collect and 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 federation (such as emergency closures) and events
c) Process payments for federation 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
j) Make sure our information and communication systems, equipment and facilities (e.g. federation computers) are used appropriately, legally and safely

We will only use your personal information for the purposes for which we have 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 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.

3.1 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 federation 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).

3.2 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.

3.3 Use of your personal data for filtering and monitoring purposes
While you're in our federation, we may monitor your use of our information and communication systems, equipment and facilities (e.g. federation computers). We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies (e.g. Safeguarding and child protection policy, IT acceptable use policy) and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)
- Protect your child's welfare

4. Our lawful basis for using this data
Our lawful bases for processing your personal data for the purposes listed in section 3 above are as follows:

- For the purposes of (see section 3 above), in accordance with the 'public task' basis – we need to process data to fulfil our statutory function as a federation.

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.

4.1 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 1 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

5. Collecting this data

We will only collect and use your data when the law allows us to (as detailed above in section 4 of this notice). 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 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 you from:

- Local authorities
- Government departments or agencies
- Your children
- Police forces, courts or tribunals
- Other schools and trusts

6. How we store this data

We keep personal information about you while your child is attending our federation. We may also keep it beyond their attendance at our federation if this is necessary to comply with our legal obligations or to meet our regulatory requirements. Our record retention schedule sets out how long we keep information about parents and carers.

We have put in place appropriate security measures to prevent your 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 have a legal requirement to retain it.

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

- Our local authority, West Berkshire – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Government departments or agencies
- Department for Education
- Our regulator - Ofsted
- Suppliers and service providers:
  Catering and filtering and monitoring
- Financial organisations
- 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

7.1 Transferring data internationally

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

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

8. Your rights

8.1 How to access personal information that we hold about you

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 may apply):

- Give you a description of it
- Tell you why we are holding it, how we are 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).

8.2 Your other rights regarding your data

Under 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 our use of your personal data where it is likely to cause, or is causing damage or distress
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected or blocked
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its 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 Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't haven't the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.
To exercise any of these rights, please contact us (see 'Contact us' below).

9. 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 concerns about our data processing, please raise this with us in the first instance. You can make a complaint to us at any time by contacting the Executive Headteacher.
Alternatively, you can make a complaint at any time 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

10. Contact us

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**

- **Gerard Strong - gerard.strong1@westberks.gov.uk**

Appendix 3 Privacy notice for parents and carers – use of your child's personal data

Contents

1. Introduction
2. The personal data we hold
3. Why we use this data
4. Our lawful basis for using this data
5. Collecting this data
6. How we store this data
7. Who we share data with
8. Your rights
9. Complaints
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1. Introduction

Under UK data protection law, individuals have a right to be informed about how our federation uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.
This privacy notice explains how we collect, store and use personal data about **pupils at our federation**.
This privacy notice applies while we believe your child is not capable of understanding and exercising their own data protection rights (usually under the age of 12).

We, Burghfield Common Federation, are the 'data controller' for the purposes of UK data protection law.

2. The personal data we hold

We hold personal data about pupils at our federation to support teaching and learning, to provide pastoral care and to assess how the federation is performing.
Personal data that we may collect, use, store and share (when appropriate) about your child includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Exclusion information
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Information about your child's use of our information and communications systems, equipment and facilities (e.g. federation computers)

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

- Information about any medical conditions we need to be aware of, including physical and mental health
- Photographs and CCTV images captured in the federation
- Information about characteristics, such as ethnic background or special educational needs (SEN)

We may also hold data about your child that we have received from other organisations, including other schools and local authorities.

3. Why we use this data

We collect and use the data listed above to:

a) Support pupil learning

b) Monitor and report on pupil progress
c) Provide appropriate pastoral care
d) Protect pupil welfare
e) Assess the quality of our services
f) Administer admissions waiting lists
g) Carry out research
h) Administer federation property
i) Comply with the law regarding data sharing
j) Make sure our information and communication systems, equipment and facilities (e.g. federation computers) are used appropriately, legally and safely

We will only use your child's personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for any other reason and that reason is incompatible with the original purpose. If we need to use your child's personal information for an unrelated purpose, we will notify you and explain the legal basis that allows us to do so.
Please note that we may process your child's personal information without your knowledge or consent in compliance with the above rules where this is required or permitted by law.

3.1 Use of your child's personal data for marketing purposes
Where you have given us consent to do so, we may send your child marketing information by email or text promoting federation events, campaigns, charitable causes or services that may be of interest to them. You can withdraw consent or 'opt out' of receiving these emails by contacting us (see 'Contact us' below).

3.2 Use of your child's personal data in automated decision-making and profiling
We do not currently process any pupils' 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.

3.3 Use of your child's personal data for filtering and monitoring purposes
While your child is in our federation, we may monitor their use of our information and communication systems, equipment and facilities (e.g. federation computers). We do this so we can:

- Comply with health and safety, and other legal obligations
- Comply with our policies (e.g. Safeguarding and child protection policy, IT acceptable use policy) and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)
- Protect your child's welfare

4. Our lawful basis for using this data
Our lawful bases for processing your child's personal data are for the purposes listed in section 3 above. Where you have provided us with consent to use your child's 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.

4.1 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 1 of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your child's 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 child's 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 child's 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

5. Collecting this data

We will only collect and use your child's information when the law allows us to as detailed above in section 4 of this notice. While the majority of information we collect about your child 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 your child will come from you, but we may also hold data about your child from:

- Local authorities
- Government departments or agencies
- Police forces, courts or tribunals
- Other schools or trusts
- Department for Education

6. How we store this data

We keep personal information about your child while they are attending our federation. We may also keep it beyond their attendance at our federation if this is necessary to comply with our legal obligations or to meet our regulatory requirements. Our record retention schedule sets out how long we keep information about pupils.

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

We will dispose of your child's personal data securely when we no longer have a legal requirement to retain it.

7. Who we share data with

We do not share information about your child 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 your child with:

- Schools that your child may attend after leaving us

- Our local authority, West Berkshire – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Government departments or agencies
- Department for Education
- Our regulator, Ofsted
- Suppliers and service providers:
  - Catering, and filtering and monitoring
- Financial organisations
- 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

Sharing data with the Department for Education (DfE)
The Department for Education (a government department) collects personal data from schools and local authorities via various statutory data collections. We are required to share information about our pupils with the DfE either directly or via our local authority, via various statutory data collections.
The data shared will be in line with the following relevant legislation:

- Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013

The data is transferred securely and held by the Department for Education under a combination of software and hardware controls that meet the current government security policy framework.
The data we share with the DfE is used for a number of purposes, including to:

- Inform funding
- Monitor education policy and school accountability
- Support research

The information shared with the DfE could include:

- Your child's name and address
- Unique pupil numbers
- Pupil matching reference numbers
- Gender or ethnicity
- Details of any special educational needs (SEN)
- Details of schools attended
- Absence and exclusion information
- Information relating to exam results
- Information relating to any contact with children's services
- What they did after they finished school

Please note: this list is not exhaustive.

National Pupil Database (NPD)
We are required to provide information about pupils to the DfE 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 DfE 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 DfE may share information from the NPD with third parties, such as other organisations that promote children's education or wellbeing in England. These third parties must agree to strict terms and conditions about how they will use the data.
For more information, see the DfE's webpage on how it collects and shares personal data.
You can also contact the Department for Education with any further questions about the NPD.

7.2 Transferring data internationally
We may share personal information about your child with the following international third parties, where different data protection legislation applies.
Where we transfer your child's personal data to a third-party country or territory, we will do so in accordance with UK data protection law.
In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

8. Your rights
8.1 How to access personal information that we hold about your child
You have a right to make a 'subject access request' to gain access to personal information that we hold about your child.
If you make a subject access request, and if we do hold information about your child, we will (subject to any exemptions that apply):

- Give you a description of it
- Tell you why we are holding it, how we are 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 child's 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).

8.2 Your right to access your child's educational record
Parents, or those with parental responsibility, also have the right to access their child's educational record (which includes most information about a pupil). This right applies as long as the pupil is aged under 18.
There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.
To make a request, please contact the Executive headteacher.

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

- Object to our use of your child's personal data
- Object to the processing of your child's personal data that is likely to cause, or is causing, damage or distress
- Prevent your child's data being used to send direct marketing
- Object to and challenge the use of your child's personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected or blocked
- In certain circumstances, have the personal data we hold about your child deleted or destroyed, or restrict its processing

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

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't haven't the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.
To exercise any of these rights, please contact us (see 'Contact us' below).

9. 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 concerns about our data processing, please raise this with us in the first instance. You can make a complaint to us at any time by contacting the Executive Headteacher.

Alternatively, you can make a complaint at any time 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

10. Contact us

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

- Gerard Strong gerard.strong1@westberks.gov.uk

Appendix 4 Privacy Notice for Visitors

Contents

1. Introduction
2. The personal data we hold
3. Why we use this data
4. Our lawful basis for using this data
5. Collecting this data
6. How we store this data
7. Who we share data with
8. Your rights
9. Complaints
10. Contact us

1. Introduction

Under UK data protection law, individuals have a right to be informed about how our federation 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 **visitors to the federation**. We, Burghfield Common Federation are the 'data controller' for the purposes of UK data protection law.

2. 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:

- Name
- Contact details
- Information relating to the visit, e.g. company or organisation name, arrival and departure time, and vehicle number plate
- Information about your use of our information and communication systems, equipment and facilities (e.g. federation computers)

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 any access arrangements that may be required
- Photographs for identification purposes
- CCTV images captured in the federation

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

3. Why we use this data

We collect and use the data listed above to:

k) Identify you and keep you safe while on the federation site
l) Keep pupils and staff safe
m) Maintain accurate records of visits to the federation
n) Provide appropriate access arrangements
o) Make sure our information and communication systems, equipment and facilities (e.g. federation computers) are used appropriately, legally and safely
p) Meet legal requirements placed upon us

We will only use your personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for any other 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 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

3.1 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 federation events, campaigns, charitable causes or services that may be of interest to you. You can withdraw consent at any time by contacting us (see 'Contact us' below).

3.2 Use of your personal data in automated decision-making and profiling
We do not currently process any visitors' 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.

3.3 Use of your personal data for filtering and monitoring purposes
While you're in our federation, we may monitor your use of our information and communication systems, equipment and facilities (e.g. federation computers). We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies (e.g. Safeguarding and child protection policy, IT acceptable use policy) and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)

4. Our lawful basis for using this data
Our lawful bases for processing your personal data for the purposes are listed in section 3 above.

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.

4.1 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 1 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

5. Collecting this data

We will only collect and use your personal information when the law allows us to, as detailed above in section 4 of this notice. 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 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 you from:

- Local authorities
- Government departments or agencies
- Police forces, courts or tribunals
- Other schools or trusts
- The Department for Education

6. How we store this data

We keep personal information about you while you are visiting our federation. We may also keep it beyond your visit with our federation if this is necessary to comply with our legal obligations or to meet our regulatory requirements. Our record retention schedule sets out how long we keep information about visitors.

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.

We will dispose of your personal data securely when we no longer have a legal requirement to retain it.

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

- Our local authority, West Berkshire – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- Government departments or agencies
- Department for Education
  - (catering and filtering and monitoring)
- 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 or tribunals

7.1 Transferring data internationally

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

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

8. Your rights

8.1 How to access personal information that we hold about you

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 may apply):

- Give you a description of it
- Tell you why we are holding it, how we are 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).

8.2 Your other rights regarding your data

Under 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 our use of your personal data where it is likely to cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its 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 Commissioner's Office if you feel we have not used your information the right way
- Claim compensation for damages caused by a breach of the data protection regulations

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't haven't the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.

To exercise any of these rights, please contact us (see 'Contact us' below).

9. 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 concerns about our data processing, please raise this with us in the first instance. You can make a complaint to us at any time by contacting the Executive headteacher.

Alternatively, you can make a complaint at any time 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

10. Contact us

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

- **Gerard Strong** gerard.strong1@westberks.gov.uk

Appendix 5
Privacy Notice – the School Workforce and Governors and Other Volunteers

Contents
1. Introduction
2. The personal data we hold
3. Why we use this data
4. Our lawful basis for using this data
5. Collecting this data
6. How we store this data
7. Who we share data with
8. Your rights
9. Complaints
10. Contact us

1. Introduction
Under UK data protection law, individuals have a right to be informed about how our federation 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 **individuals we employ, or who otherwise engage to work at our federation and about individuals working with our federation in a voluntary capacity, including governors.**

This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide you with an updated copy as soon as reasonably practical.
We, Burghfield Common Federation are the 'data controller' for the purposes of UK data protection law. This means that we are responsible for deciding how we hold and use personal information about you.

We will comply with the data protection law and principles, which means that your data will be:
- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- Relevant to the purposes we have told you about and limited only to those purposes
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told you about
- Kept securely

2. 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:
For Governors and Volunteers;
- Your name
- Contact details
- References
- Evidence of qualifications
- Employment details
- Information about business and pecuniary interests
- Information about your use of our information and communication systems, equipment and facilities (e.g. federation computers)

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 any health conditions you have that we need to be aware of
- Information about disability and access requirements
- Photographs and CCTV images captured in federation

For Staff Workforce;

- Your name
- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving license
- Information about your use of our information and communications systems, equipment and facilities (e.g. federation computers)

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 any health conditions you have that we need to be aware of
- Sickness records
- Photographs and CCTV images captured in the federation
- Information about trade union membership

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.
We may also hold data about you that we have received from other organisations, including other schools and local authorities, and the Disclosure and Barring Service in respect of criminal offence data.

3. Why we use this data

For Governors and Volunteers;

We use the data listed above to:

a) Establish and maintain effective governance
b) Meet statutory obligations for publishing and sharing governors' details
c) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
d) Undertake equalities monitoring
e) Ensure that appropriate access arrangements can be provided for volunteers who require them
f) Make sure our information and communication systems, equipment and facilities (e.g. federation computers) are used appropriately, legally and safely

For Staff;

We collect and use the data listed above to:

g) Enable you to be paid
h) Check your entitlement to work in the UK
i) Determine the terms on which you work for us
j) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
k) Support effective performance management

l) Inform our recruitment and retention policies
m) Allow better financial modelling and planning
n) Enable equalities monitoring
o) Improve the management of workforce data across the sector
p) Support the work of the School Teachers' Review Body
q) Make sure our information and communications systems, equipment and facilities (e.g. federation computers) are used appropriately, legally and safely
r) Ascertain your fitness to work
s) Manage sickness absence

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).
We will only use your personal information for the purposes for which we have 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 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.

3.1 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 federation events, campaigns, charitable causes or services that may be of interest to you.
You can withdraw consent by contacting us (see 'Contact us' below).

3.2 Use of your personal data in automated decision-making and profiling
We do not currently process any staff members' or governors or volunteers 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.

3.3 Use of your personal data for filtering and monitoring purposes
While you're in our federation, we may monitor your use of our information and communication systems, equipment and facilities (e.g. federation computers). We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies (e.g. Safeguarding and child protection policy, IT acceptable use policy) and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)
- Protect your welfare

4. Our lawful basis for using this data
Our lawful bases for processing your personal data are for the purposes listed in section 3 above.
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.

4.1 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 1 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

5. Collecting this data

We will only collect and use your data when the law allows us to (as detailed above in section 4 of this notice). 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 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 you from:

- Local authorities
- Government departments or agencies
- Police forces, courts or tribunals

6. How we store this data

We keep personal information about you while you work at our federation. We may also keep it beyond your employment at our federation if this is necessary to comply with our legal requirements or to meet our regulatory requirements. Our record retention schedule sets out how long we keep information about staff.

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.

We will dispose of your personal data securely when we no longer have a legal requirement to retain it.

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

- Our local authority, West Berkshire – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- Government departments or agencies

- Department for Education
- Our regulator, Ofsted
- Suppliers and service providers:
  - Catering, HR, filtering and monitoring)
- Financial organisations
- 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 or tribunals

7.1 Transferring data internationally

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

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

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

8. Your rights

8.1 How to access personal information that we hold about you

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 may apply):

- Give you a description of it
- Tell you why we are holding it, how we are 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).

8.2 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 our use of your personal data where it is likely to cause, or is causing damage or distress
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its 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 Commissioner's Office if you feel we have not used your information in the right way
- Claim compensation for damages caused by a breach of the data protection regulations

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

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10. Contact us

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- Gerard Strong gerard.strong1@westberks.gov.uk