

Privacy Notice for SEMH Support Team

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Privacy notice for parents/carers and Guardians

Under data protection law, individuals have a right to be informed about how the SEMH Support Team 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, parents and/or carers**.

We, the SEMH Support Team are the 'data processor' for the purposes of data protection law. Our data protection officer is Mark Weller who can be contacted via email (dpo@twhf.org.uk).

The personal data we hold

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

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

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

- Contact details, contact preferences, date of birth, identification documents
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

We may also hold data about parents / carers that we have received from other organisations, including other schools, local authorities and law enforcement.

Why we use this data

We use this data to:

- Support the welfare of children, young people, parents and/or carers
- Assess the quality of our services
- Carry out research
- Comply with the law regarding data sharing
- Provide additional support to families when required

Our legal basis for using this data

We only collect and use pupils', parents and/or carers personal data when instructed by the data controller (Educational Establishment), the appropriate data sharing agreement has been signed and explicit consent from parents and/or carers has been obtained as part of any referral form. The lawful basis for processing this data is:

- Consent: the individual has given clear consent for you to process their personal data for a specific purpose.
- Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- Vital interests: the processing is necessary to protect someone's life.

Where we have obtained consent to use pupils', parents / carers personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and consent can be withdrawn at anytime by completing a request form found on <https://gdpr.twhf.org.uk>.

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

Collecting this information

Information will be collected about students, parent and/or carers by:

- Referral Form
- Direct from data controller
- External agencies

How we store this data

We keep personal information no longer than required by law, the current law requires us to retain information until the student has reached the age of 24. This personal data will then be securely destroyed and/or shredded.

Data sharing

We do not share information about pupils, parents and/or carers, school staff unless the law or vital interests of an individual allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils, parents / carers with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- The pupil's family and representatives
- Educators and examining bodies
- Our regulator [specify as appropriate, e.g. Ofsted, Independent Schools Inspectorate]
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

- Professional bodies

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Parents and pupils' rights regarding personal data

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

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

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

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

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Give you a copy of the information in an intelligible form

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

If you would like to make a request please complete the online form at <https://gdpr.twhf.org.uk>.

Other rights

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

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

To exercise any of these rights, please complete the online form at <https://gdpr.twhf.org.uk>.

Complaints

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

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

To make a complaint, please contact the schools Information Asset Owner, a list of IAO's across the federation can be found here <https://gdpr.twhf.org.uk/iao/>.

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

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

Contact us

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

- Mark Weller – dpo@twhf.org.uk