



**PROCEDURE TITLE:** Privacy notice including reference to biometric data

**STATUS:** Statutory

**DATE OF REVIEW:** September 2023

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## 1. Introduction

Under UK data protection law, individuals have a right to be informed about how our College 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 students at the College.

We are the 'data controller' for the purposes of UK data protection law as follows:

The Latimer Arts College  
Castle Way  
Barton Seagrave  
Kettering  
NN15 6SW

Telephone: 01536 720300

E-Mail: [mail@latimer.org.uk](mailto:mail@latimer.org.uk)

Our Data Protection Officer is Mrs Debbie Castley (see 'Contact us' below).

## 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:

- Personal information (such as name, gender, address, family details and contact information)
- Information related to Pupil Premium and Free School Meal status of the student
- Safeguarding information (such as court orders and external professional involvement)
- Relevant medical information (including mental health, medical conditions and any specific needs)
- Images of parents/carers through CCTV at various locations around the site
- Records of your correspondence and contact with us
- Details of any complaints you have made

We may also collect, store and use information about you that falls into "special categories" under UKGDPR. This is a sub-category of personal data that required heightened protection measures due to its sensitive and personal nature. This includes, but is not restricted to, information about:

- Personal data revealing racial or ethnic origin
- Personal data revealing political opinions
- Personal data revealing religious or philosophical beliefs
- Personal data revealing trade union membership
- Biometric data (where used for identification purposes)

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

### **3. Why we use this data**

We use the data listed above to:

- a) Report to you on your child's attainment and progress
- b) Keep you informed about the running of the College (such as emergency closures) and events
- c) Enable the use of online parent payment systems
- d) Enable the use of our finance and education systems
- e) Provide appropriate pastoral care and safeguarding of students
- f) Support student learning, access to education and welfare
- g) Administer admissions waiting lists
- h) Assess the quality of our services
- i) Detect/prevent of (CCTV footage)
- j) Comply with our legal and statutory obligations

#### **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 College events 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 our Student Services Team.

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

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

### **4. Our lawful basis for using this data**

We collect and use student/parent/carers information under:

- Education Act 1996 – this information can be found in the guide documents on the following website <https://www.gov.uk/education/data-collection-and-censusesfor-schools>
- The Education (Pupil Registration) (England) Regulations
- The School Standards and Framework Act 1998
- The School Admissions Regulations 2012
- Children and Families Act 2014
- The Special Educational Needs and Disability Regulations 2014
- Data Protection Act (1998) (until 25 May 2018)
- Data protection Act (2018)
- UK General Data Protection Regulation

- Article 6(1)(a) – consent
- Article 6(1)(c) – legal obligation
- Article 6(1)(e) - public task
- Article 9(2)(a) – explicit consent
- Article 9(2)(g) – substantial public interest

The DfE process census data under the various Education Acts – further information can be found on their website: <https://www.gov.uk/education/data-collection-and-censusesfor-schools>

Our disclosure of personal data is lawful for the following reasons:

- The College is under a legal obligation to disclose the information or disclosing the information is necessary for us to meet legal requirements imposed upon us, such as our duty to look after our students and protect them from harm.
- It is necessary for us to disclose information for the purposes of our functions in providing schooling. This is a function which is in the public interest.
- We have a legitimate interest in disclosing information because it is necessary in order to provide our students with education and pastoral care and connected purposes as outlined above.
- We will not usually need consent to disclose your information. However, if at any time it appears to us that we would need consent then this will be sought before a disclosure is made.
- In addition to the above, the school uses the following guidance document regarding biometric data.
- [Protection of biometric data of children in schools and colleges \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/672222/Protection_of_biometric_data_of_children_in_schools_and_colleges.pdf)

#### **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 one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

## **5. Collecting this data**

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.

In order to comply with the UK General Data Protection Regulation, we will inform parents and carers whether they are required to provide certain information to us or if they have a choice in this. We may also receive information from previous schools, the local authority, other agencies and the Department of Education (DfE).

## **6. How we store this data**

We keep personal information about you while your child is attending the College. We may also keep it beyond their attendance at our school if this is necessary. Our Data Retention Procedures 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 need it.

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

We treat all information we hold about you (parents/carers and other emergency contacts) private and confidential to our organisation. We will not reveal any personal details concerning you to anyone not connected with the College unless:

- You ask use to provide information, or we have your consent to do so
- We are required or permitted to do so by law
- It is required by law enforcement
- There is a duty to the public to reveal the information, e.g. regulatory bodies, tax authorities, the Department for Education or Education and Skills Funding agency.

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, North Northamptonshire Council <https://www.northnorthants.gov.uk/>, to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- The Department for Education (DfE)
- Members of staff
- Exam Boards

We share specific information, as necessary, with:

- School Nurse Teams
- CAMHS/CYPMHS (Child and Adolescent Mental Health Service)
- Support Professionals such as counsellors
- Law enforcement agencies and Security Organisations
- Disclosures connected with Special Education Needs Support
- Disclosures connected with Safeguarding issues/concerns
- Careers advisors
- Travel companies for school trips
- Suppliers and service providers associated with online learning for students who may provide updates on your child's progress.

- Suppliers and service providers including those for photography services, cashless catering and purchasing systems, management information systems and online parent finance systems to enable them to provide the service we have contracted them for.

## **7.1 Transferring data internationally**

We do not normally transfer information to a different country which is outside the European Economic Area. This would only happen if a parent lives or moves abroad or if the student moves to a new school abroad.

If this happens, we will be very careful to make sure that it is safe to transfer the information. We will look at whether that other country has good data protection laws for example. If we cannot be sure that it is safe, then we will talk to the parent/carer about it and make sure that you are happy for us to send the information. As

as this is not something we normally do, and we do not know which country we might need to send information to, we cannot provide more information about it now but if we want to transfer data to a different country then we will tell parents and carers and students whether or not we think it is safe and why we have decided that.

## **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 and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

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

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

### **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
- 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
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer

## **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 concern about our data processing, please raise this with us in the first instance.

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

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

## **10. 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:

Debbie Castley: 01536 720300 or [dcastley@latimer.org.uk](mailto:dcastley@latimer.org.uk)