

**PRIVACY NOTICE
FOR
PUPILS & PARENTS/FAMILIES/CARERS/LEGAL GUARDIANS
REGARDING USE OF PERSONAL INFORMATION IN EDUCATIONAL
SETTINGS**



Version	Date Published	Responsible Officer
1.0	24/05/18 May 2018	Chris Buglass

Newham Music

PRIVACY NOTICE

For Pupils & Parents/Families/Carers/Legal Guardians

ABOUT US

Newham Music is the data controller of the personal information we hold about our pupils and their parents/families/carers/legal guardians. This means that we are responsible for deciding how we hold and use the personal information which we collect.

We are required under the General Data Protection Regulation (GDPR) to notify you of the information contained in this privacy notice.

We collect and use pupil information in order to provide our services. When collecting information from you we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

This notice applies to prospective, current and former pupils and their families/carers/legal guardians and those applying for tuition with us via schools or in Newham Music Academy. We may update this notice at any time but if we do so, we will inform you as soon as reasonably practicable.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the GDPR.

If you have any questions about this privacy notice or how we handle personal information, please contact the Business and Operations Manager who will deal with your query

Chris Buglass

chris.buglass@newham-music.org.uk

020 598 6260 ext 1001

Unit 13

St Luke's Business Centre

85 Tarling Road

London

E16 1HN

We are not required to have a Data Protection Officer (DPO) but our Data Protection activities and compliance are monitored and overseen by the Business and Operations Manager

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues. The ICO's details are as follows:

The Information Commissioner's Office:

Wycliffe House

Water Lane

Wilmslow
Cheshire
SK9 5AF

Telephone: 01625 545 745 / 0303 123 1113

Email (via website form): <https://ico.org.uk/global/contact-us/email/>

HOW DO WE COLLECT AND HOLD PERSONAL INFORMATION?

We collect some personal information about our pupils and their families/carers/legal guardians during a pupil's enrollment with our Academy or for instrumental tuition delivered in schools.

We will sometimes collect additional information from third parties such as Examination Boards

We mainly collect personal information about our pupils and their families/carers/legal guardians throughout the course of the pupil's time with Newham Music, for instance when completing consent forms for concerts/visits and throughout our relationship with a pupil when we are exercising our legal obligations as an education provider and during our pastoral care.

WHAT PERSONAL INFORMATION DO WE COLLECT, STORE AND USE ABOUT OUR PUPILS?

Personal information is information that identifies you and relates to you. We will collect, store and use the following categories of personal information about our pupils:

- Personal information (such as name, age, date of birth)
- Contact information (such as address, emergency contact information and telephone number)
- Attendance information (such as sessions attended, number of absences and absence reasons)

- Assessment information (such as external examinations provided by accredited, third-party exam boards)
- Non-sensitive characteristic data (such as free school meal eligibility)
- Special categories of data (such as ethnicity, language, country of birth, nationality, information regarding health, special educational needs, allergies and disability).

WHAT PERSONAL INFORMATION DO WE COLLECT, STORE AND USE ABOUT OUR PUPILS'/ PARENTS/FAMILIES/CARERS/LEGAL GUARDIANS?

We will collect, store and use the following categories of personal information about our pupils'/parents/families/carers/legal guardians:

- Personal information (such as name, age, date of birth)
- Contact information (such as address and telephone number)
- Financial information (such as payment history)

WHY DO WE COLLECT, STORE AND USE THIS INFORMATION?

We will only use personal information when the law allows us to. Most commonly, we will use personal information relating to our pupils and their parents/families/carers/legal guardians where we need to comply with our legal obligations.

In some cases we may use personal information where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. For example, the Trust has a legitimate interest in providing pupils with a musical education, safeguarding and promoting pupil welfare and facilitating the efficient operation of Newham Music

We may also use your personal information, less frequently to protect a pupil's or their family's interests (or someone else's interests). For example, when investigating a complaint made by another pupil, parent/families/legal guardian or teacher

We keep personal information electronically on the Trust's information management systems, the Trust's IT network, and manually in indexed filing systems.

The following list is not exhaustive and details situations in which we may use personal data, including special category data, include:

<ul style="list-style-type: none">● Teaching & Learning <p>For example:</p> <ul style="list-style-type: none">○ to monitor and report on pupil progress○ to provide appropriate pastoral care	<ul style="list-style-type: none">● Statutory Returns <p>For example:</p> <ul style="list-style-type: none">○ to monitor equal opportunities
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<ul style="list-style-type: none"> ● Safeguarding & Child Protection <p>For example:</p> <ul style="list-style-type: none"> ○ to safeguard pupils ○ to manage a pupil's absence 	<ul style="list-style-type: none"> ● Security <p>For example:</p> <ul style="list-style-type: none"> ○ to comply with health and safety obligations ○ to comply with the law regarding data sharing
<ul style="list-style-type: none"> ● Business Continuity <p>For example:</p> <ul style="list-style-type: none"> ○ to assess the quality of our services 	<ul style="list-style-type: none"> ● Access to Systems <p>For example:</p> <ul style="list-style-type: none"> ○ to support pupil learning
<ul style="list-style-type: none"> ● Communications <p>For example:</p> <ul style="list-style-type: none"> ○ to foster links between the Trust and the local community, including fundraising events 	<ul style="list-style-type: none"> ● Sound Financial Management <p>For example</p> <ul style="list-style-type: none"> ○ to provide more efficient means of payment for the Trust's services/facilities

CONSENT

Whilst the majority of the personal data provided to the Trust is required for us to comply with our legal obligations, some of that information is provided on a voluntary basis through the consent of a parent/guardian/legal carer.

Where we need consent, the Trust will provide clear and specific reasons *why* the data is being collected and how the data will be used. You should be aware if you do not consent to our collection of this type of data, this will not affect the standard of tuition we deliver to the pupil.

If we ask for your consent to use personal information, you can take back this consent at any time. Please contact the Business and Operations Manager if you would like to withdraw any consent you have given; contact details are listed on Page 1 of this document.

Please be aware that, in line with statutory legal requirements relating to Safeguarding we do not need to obtain parental consent to share a student's data with the relevant authorities if we believe that to do so has the potential to put that child at greater risk.

HOW LONG IS DATA STORED FOR?

We will only keep personal information for as long as necessary to fulfil the purposes we collected it (for example, to educate and look after pupils) and including for the purposes of satisfying any legal, accounting, or reporting requirements.

We do not store personal data forever; we only hold pupil and family data for as long as we are legally able to do so. However, sometimes we will keep personal information for historical reasons (e.g. photos of a performance) but you will always have a right to ask for it to be destroyed.

In determining the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

DATA SECURITY

We have put in place appropriate security measures to prevent personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a need to know. They will only process personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator (currently the Information Commissioner's Office) of a suspected breach where we are legally required to do so.

WHO WE SHARE PUPIL INFORMATION WITH

We may have to share pupil and their family's data with third parties, including third-party service providers and other bodies such as:

- the Department for Education
- Ofsted
- The Board of Trustees
- Children's Services within Newham Council
- Police UK
- Local Safeguarding Children Board
- Paritor (Information Management Database provider)
- Musical exam boards such as ABRSM, Trinity and Rock School
- Schools

WHY WE SHARE PUPIL INFORMATION

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. We only permit access to personal data for specified purpose and in accordance with our instructions.

We are required to share pupils' data with the Department of Education and/or the Local Education Authority on a statutory basis. This data sharing underpins the Trust's funding and educational attainment policy and monitoring. We may also share information with a student's destination as their education progresses and they move on from an education with Newham Music. We are also required to share pupil's data with the Arts Council England as the organisation through which the Department for Education allocates funding to the Trust

Safeguarding

Information recording and sharing for the purposes of safeguarding and child protection is outlined in our Safeguarding Policy and Procedures. Information is kept securely. In the case of child protection concerns we have a statutory obligation to share information with the appropriate bodies as outlined in our policy. We are required legally to keep records over time.

¹Pupils aged 13+:

Once our pupils reach the age of 13, we may also pass pupil information to our local authority and/or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds.

This enables them to provide services such as Youth Support Services and Careers Advice

A parent, carer or guardian can request that **only** their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once he/she reaches the age 16.

Pupils aged 16+:

We will also share certain information about pupils aged 16+ with Department of Education and/or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds.

This enables them to provide services as follows:

- post-16 education and training providers
- youth support services
- careers advice

TRANSFERRING DATA OUTSIDE THE EU

¹ For post-primary schools

We will not transfer the personal information we collect about you to any country outside the EU without telling you in advance that we intend to do so and what steps we have taken to ensure adequate protection for your personal information in those circumstances.

YOUR RIGHTS OF ACCESS, CORRECTION, ERASURE AND RESTRICTION

Under GDPR, pupils/parents/families and carers have the right to request access to information about them that we hold.

To make a request for your personal information, or be given access to your child's educational record, contact the Business and Operations Manager:

Chris Buglass

chris.buglass@newham-music.org.uk

020 598 6260 ext 1001

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We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Under certain circumstances, by law a parent/carer/legal guardian or a child over the age of 13 has the right to:

- **Request access** to personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and your child and to check that we are lawfully processing it. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.
- **Request correction** of the personal information that we hold about you and your child. This enables you to have any incomplete or inaccurate information we hold corrected.
- **Request erasure** of personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of personal information where we are relying on a legitimate interest (or that of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing you and your child's personal information for direct marketing purposes.
- **Request the transfer** of your personal information to another party, for instance a new school.