



Blatchington Mill School

PRIVACY NOTICE FOR PARENTS AND CARERS - USE OF YOUR CHILD'S PERSONAL DATA

Date Policy Created: October 2024

Date of last amendment: March 2026

Date to be reviewed: March 2027



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1. Introduction

Under UK data protection law (known as the General Data Protection Regulation - GDPR), individuals have a right to be informed about how our school 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 **students at our school**. This privacy notice applies while we believe your child is not capable of understanding and exercising their own data protection rights.

Once your child is able to understand their rights over their own data (generally considered to be over the age of 12, but this has to be considered on a case-by-case basis), you should instead refer to our privacy notice for students to see what rights they have over their own personal data.

We, Blatchington Mill School, Nevill Avenue, BN3 7BW are the 'data controller' for the purposes of UK data protection law.

Our data protection officer is the School Business Manager (see 'Contact us' below).

2. The personal data we hold

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
- Student and curricular records
- Exclusion information
- Attendance information
- Details of any behaviour issues
- 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., school 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 school
- Information about characteristics, such as ethnic background or special educational needs
- Biometrics, such as fingerprint - when specific consent is given

We may also hold data about your child 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. Protect student welfare
- b. Support student learning
- c. Monitor and report on student progress
- d. Provide appropriate pastoral care to students
- e. Assess the quality of our services
- f. Administer admissions
- g. Carry out research
- h. Comply with the law regarding data sharing
- i. Make sure our information and communication systems, equipment and facilities (e.g., school 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 we have been given consent to do so, we may send your child information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to them.

3.2 Use of your child's personal data in automated decision making and profiling

We do not currently process any students' 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 child's personal data for filtering and monitoring purposes

While your child is in our school and/or using our equipment, we may monitor their use of our information and communication systems, equipment and facilities (e.g., school computers). We do this so that we can:

- Protect your child's welfare
 - Comply with health and safety and other legal obligations
 - Comply with our policies (e.g., safeguarding & child protection policy, online safeguarding policy) and our legal obligations
 - Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)
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4. Our lawful basis for using this data

We will only collect and use your child's information when the law allows us to. We need to establish a 'lawful basis' to do this, as set out in [Article 6 of the UK GDPR](#). There are six lawful bases:

- Consent
- Contract
- Legal obligation
- Vital interests
- Public task
- Legitimate interests

Our lawful bases for processing your child's personal data for the purposes listed in Section 3 above are as follows:

- For the purposes of b, c, d, f, g, i, in accordance with the 'consent' basis – we will obtain consent from you to use your personal data
- For the purposes of b, i, in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us
- For the purposes of a, b, c, d, h, i in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law. Examples of guidance and legislation are:
 - Keeping Children Safe in Education 2024
 - Education Act
 - Children Act
 - The Education (Information About Individual Pupils) (England) Regulations 2013
- For the purposes of a, d, i, in accordance with the 'vital interests' basis – we will use this personal data to protect someone's life
- For the purposes of a, b, c, h, i, in accordance with the 'public task' basis – we need to process data to fulfil our statutory function as a school. Examples of guidance and legislation are:
 - School admissions code
 - UK General Data Protection Regulation
 - Data Protection Act
 - Health and safety: responsibilities and duties for schools
- For the purposes of a, b, c, d, e, f, g, h, i, in accordance with the 'legitimate interests' basis – where there's a minimal privacy impact and we have a compelling reason. Examples of our legitimate interests:
 - Educational resources, such as websites and organisations
 - Sports and other extracurricular fixtures

Where you have provided us with consent to use your child's data, you may withdraw this consent for some categories of information. 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 one of the following conditions for processing as set out in [Article 9 of UK GDPR](#), 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 [Article 10 of UK GDPR](#), 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

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
- Health care or social care professionals
- Government departments or agencies



- Another school or educational setting
- Your children (e.g., if they have a more up to date contact number than our records)
- Police forces, courts or tribunals

6. How we store this data

We keep personal information about your child while they are attending our school; if they move to another school, we will pass on the information to that school.

We hold data associated with students securely for the set amount of time recommended by the Information and Records Management Service. In this respect, we will keep your child's information until the end of the calendar year in which they turn 25 or longer in some circumstances (such as those involving legal disputes).

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

We'll dispose of your child's personal data securely when we no longer need it. We have procedures in place to dispose of hard copies and are reviewing how to do so in our Management Information System.

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.

We ensure that we only share the required data and never provide access to more information than is necessary.

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, Brighton & Hove City Council– to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about attendance and exclusions
- Government departments or agencies – this will usually be the Department for Education (see section below) and includes Ofsted.
- Our youth support services provider for students aged 13 and over.
- Schools or educational settings that your child attends after this school.
- Education, training, careers and examining bodies.
- Suppliers and service providers, including our catering provider and a range of organisations providing IT platforms and educational programmes supporting learning.
- Financial organisations – our online payment platform (eg. Squid and agencies organising trips and visits)
- Our auditors
- Survey and research organisations
- Health authorities
- Health and social welfare organisations



- Charities and voluntary organisations
- Police forces, courts or tribunals

7.1 Transferring data internationally

We may share personal information about your child with the following international third parties (organisations, companies, etc, that are based outside the UK), where different data protection legislation applies:

- Educational resources, such as software platforms

Where we transfer your personal data to a third-party country or territory, we will follow 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. Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our students with the DfE either directly or via our local authority for the purpose of those data collections, under [Section 3 of The Education \(Information About Individual Pupils\) \(England\) Regulations 2013](#).

8.1 How the government uses your your child's data

The student data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school
- informs 'short term' education policy monitoring and school accountability and intervention (e.g., school GCSE results or Pupil Progress measures)
- supports 'longer term' research and monitoring of educational policy (e.g., how certain subject choices go on to affect education or earnings beyond school)

8.2 Data collection requirements by the Department for Education (DfE)

To find out more about the data collection requirements placed on us by the DfE (e.g., via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

The National Pupil Database (NPD)

The National Pupil Database NPD is owned and managed by the DfE and contains information about students in schools in England. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The data in the NPD is provided as part of the operation of the education system and is used for research and statistical purposes to improve, and promote, the education and well-being of children in England.



The evidence and data provide DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-npd-privacy-notice/national-pupil-database-npd-privacy-notice>

8.3 Data sharing by the Department of Education (DfE)

The DfE will only share students' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, the law allows the DfE to share students' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the DfE's NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the DfE to request access to individual level information relevant to detecting that crime.

For information about which organisations the DfE has provided student information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

All data is transferred securely and held by the DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

You can find more information about this on the DfE's webpage on [how it collects and shares research data](#).

You can also [contact the DfE](#) if you have any questions about the database.

9. Your rights

9.1 How to access personal information that we hold about your child

You may make a 'subject access request' on behalf of your child to gain access to personal information that we hold about your child.

Once your child is able to understand their rights over their own data (generally considered to be over the age of 12, but this has to be considered on a case-by-case basis), we will need to obtain consent from your child for you to make a subject access request on their behalf.



If you make a subject access request, and if we do hold information about your child, we will (subject to any exemptions that may apply) perform reasonable and proportionate searches and:

- Give you a description of it
- Tell you why we are holding and processing it
- 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).

9.2 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 student). This right applies as long as the student 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 student or another individual, or if it would mean releasing exam marks before they are officially announced.

To make a request, please contact us (see 'Contact us' below)

9.3 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:

- In certain circumstances, object to our use of your child's personal data
- 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)
- Have inaccurate personal data corrected
- 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
- Your 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 have 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).

Once your child is able to understand their rights over their own data (generally considered to be over the age of 12, but this has to be considered on a case-by-case basis), we will need to obtain consent from your child for you to make these requests on their behalf.

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 the data protection team in the first instance. If you wish to make a formal complaint, you should follow the procedures outlined in our [complaints policy](#).

If your complaint is not resolved to your satisfaction within a reasonable timeframe, 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 or concerns, or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

Data Protection Officer & Business Manager

DataProtection@BlatchingtonMill.org.uk

01273 736244

Blatchington Mill School

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