



# **Tuition, Medical and Behaviour Support Service**

## **Privacy Notice for Parents/Carers**

<b>Adopted:</b>	25 May 2018
<b>Reviewed:</b>	September 2023
<b>Next Review:</b>	September 2024

## Privacy notice for parents/carers

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

We, Tuition, Medical and Behaviour Support Service are the 'data controller' for the purposes of data protection law.

Our data protection officer is

**James Pearson**

**Assistant Head**

**Tuition, Medical and Behaviour Support Service**

**Central Administration Office**

**Sundorne Education Centre**

**218 Sundorne Road**

**Shrewsbury**

**SY1 4RG**

**01743 368189**

[admin@tmbss-shropshire.org.uk](mailto:admin@tmbss-shropshire.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 and contact preferences (such as your name, address, email address and telephone numbers)
- your relationship to your child, including any Court Orders that may be in place;
- 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
- Any relevant safeguarding information (such as professional involvement).

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 the Centres

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

## **Why we use this data**

We use this data to:

- Report to you on your child's attainment and progress
- Keep you informed about the running of the Service (such as emergency closures) and events
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Safeguard you, our pupils and other individuals
- Comply with our legal and statutory obligations

## **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.

## **Our legal basis for using this data**

We only collect and use personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

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

## **Collecting this information**

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

Most of the data we hold about you will come from you, but we may also hold data about you from:

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

### **How we store this data**

We keep personal information about you while your child is attending our Service. We may also keep it beyond their attendance at our Service if this is necessary. Our Records Management Policy 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.

### **Data sharing**

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 – Shropshire Council – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education – this statutory data sharing underpins Service funding and educational attainment policy and monitoring (further information is available via [www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data](http://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data)).

Executive Government agencies of the DfE include:

- The Standards and Testing Agency (STA)
  - Ofsted
  - Education and Skills Funding Agency
  - Learner Records Service (LRS)
  - The National Pupil Database (managed by the DfE)
- The pupil's family and representatives
  - Educators and examining bodies
  - Our regulator – Ofsted
  - 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
  - Schools that the pupils attend after leaving us
  - Youth support services (pupils aged 13+)

### **National Pupil Database**

We are required to provide information about pupils to the Department for Education 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 Department 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 Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on how it collects and shares research data.

You can also contact the Department for Education with any further questions about the NPD.

### **Youth support services**

Once your child reaches the age of 13, we are legally required to pass on certain information about them to the Local Authority as it has legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

Parents and carer or your child once they are 16, can contact our data protection officer to ask us to only pass your name, address and date of birth to Shropshire Council.

### **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.

### **Parents and pupils' rights regarding personal data**

You have the right to make a '**subject access request**' to gain access to personal information that the Service holds about you.

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/carers also have the right to make a subject access request with respect to any personal data the Service 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
- 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

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 contact Lindsay Crozier, Business Manager on 01743 368189 or [admin@tmbss-shropshire.org.uk](mailto:admin@tmbss-shropshire.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 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.

### **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 our data protection officer.

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**:

**James Pearson**

**Assistant Head**

**Tuition, Medical and Behaviour Support Service**

**Central Administration Office**

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