



PRIVACY NOTICE FOR PARENTS AND CARERS USE OF PERSONAL DATA

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1. Introduction

Under UK data protection law, individuals have a right to be informed about how APTCOO 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 **children, young people, and vulnerable adults who access services and provision at APTCOO.**

We, A Place to Call Our Own (APTCOO), Unit 15, Botany Avenue, Mansfield, Nottingham, NG18 5NF are the 'data controller' for the purposes of UK data protection law.

Our data protection officer is Karen Kilner (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.
- Pupil and curricular records
- Exclusion information
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers.

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 APTCOO when accessing services.
- Information about characteristics, such as ethnic background or special educational needs

We may also hold data about your child that we have received from other organisations, including other education establishments, health, and social care.

3. Why we use this data

We use the data listed above to:

- a) To support individuals learning
- b) Monitor and report on progress towards outcomes
- c) Provide appropriate pastoral care.
- d) Protect an individual's welfare.
- e) Assess the quality of our services.
- f) Administer provision waiting lists.
- g) Carry out research.
- h) Comply with the law regarding data sharing.

3.1 Use of personal data for marketing purposes

Where you have given consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes, or services that may be of interest to them.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

3.2 Use of personal data in automated decision making and profiling

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

4. Our lawful basis for using this data

Our lawful bases for processing personal data for the purposes listed in section 3 above are as follows:

For the purposes of:

- To support an individual's learning
- Monitor and report on progress towards outcomes
- Provide appropriate pastoral care & family support.
- Protect an individual's welfare.

In accordance with the 'public task' basis – we need to process data to fulfil our statutory function as an education provision as set out here:

- The Education Act 2011
- UK General Data Protection Regulation (UK GDPR)
- The Data Protection Act 2018 (DPA 2018)

For the purposes of:

- To support an individual's learning
- Monitor and report on progress towards outcomes
- Provide appropriate pastoral care & family support.
- Protect an individual's welfare.

In accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:

- Education (Independent School Standards) Regulations 2014
- The Ofsted Inspection Framework 2023
- Keeping Children Safe in Education 2023
- Working Together to Safeguard Children 2018

For the purposes of:

- To support an individual's learning
- Monitor and report on progress towards outcomes
- Provide appropriate pastoral care & family support.
- Protect an individual's welfare.

in accordance with the 'consent' basis – we will obtain consent from you to use your child's personal data.

For the purposes of:

- To support an individual's learning
- Monitor and report on progress towards outcomes
- Provide appropriate pastoral care & family support.
- Protect an individual's welfare.

in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation.

For the purposes of:

- To support an individual's learning
- Monitor and report on progress towards outcomes
- Provide appropriate pastoral care & family support.
- Protect an individual's welfare.
- To ensure information security

in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with the commissioners.

For the purposes of:

in accordance with the 'legitimate interests' basis – where there's a minimal privacy impact and we have a compelling reason, including:

- To ensure the information security of our IT systems

Where you have provided us with consent to use an individual's data, you may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you will 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 1 of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use 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 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 an individual'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 an individual 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 an individual will come from you, but we may also hold data about them from:

- Local authorities
- Government departments or agencies
- Police forces, courts or tribunals
- Social Care
- Health Professionals

6. How we store this data

We keep personal information about an individual whilst they are attending/accessing APTCOO services and provision. We may also keep it beyond their attendance at APTCOO if this is necessary. Our Records Management and Retention policy sets out how long we

keep information about children, young people, and vulnerable adults. This policy can be found on our website.

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.

We will dispose of personal data securely when we no longer need it.

7. Who we share data with

We do not share information about your child 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 your child with:

- Commissioning Local Authorities e.g. Nottinghamshire County Council, Nottingham City council – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Government departments or agencies
- Our regulator - Ofsted
- Health authorities
- Health and social care organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

National Pupil Database

As an Independent Special School, we are required to provide information about children, young people, and vulnerable adults to the Department for Education as part of statutory data collections such as the school census and attendance data.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department for Education 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 third parties, such as other organisations which promote children's education or wellbeing in England. These third parties must agree to strict terms and conditions about how they will use the data.

For more information, see the Department for Education'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.

7.1 Transferring data internationally

We may share personal information about an individual with the international third parties, who are linked to our third part partners, where different data protection legislation applies.

Where we transfer 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.

8. Your rights

8.1 How to access personal information that we hold.

You have a right to make a 'subject access request' to gain access to personal information that we hold.

If you make a subject access request, and if we do hold information, we will (subject to any exemptions that 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 us (see 'Contact us' below).

Once a child is able to understand their rights over their own data (generally considered to be age 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.

8.2 Your right to access your child's educational record.

As an Independent Special School, parents, or those with parental responsibility, do not automatically have the right to access their child's educational record (which includes most information about a pupil). This right applies as long as the pupil is aged under 18. However, APTCOO will provide this information in line with data protection law.

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 pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

To make a request, please contact the **Head Teacher** in the first instance.

8.3 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:

- 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)
- In certain circumstances, 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.

To exercise any of these rights, please contact us (see 'Contact us' below).

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

- Data Protection Officer – Karen Kilner Karen.kilner@aptcoo.org
- Head Teacher – Michaela Ledsham Michaela.ledsham@aptcoo.org