MacIntyre
Providing support...your way

MacIntyre School

Privacy Notice for Parents/ Carers

Under data protection law, individuals have a right to be informed about how the 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 notice explains what personal data we collect about pupils, how we use it, who we share it with, how long we keep it and the rights available under data protection law.

MacIntyre is responsible for deciding how personal data is used, this is called the Data Controller. Our person responsible for data protection is **Claire Toombs** (Finance Director) who acts as MacIntyre's Senior Information Risk Owner. Our registered address is for central support is MacIntyre, Seebeck House, 1 Seebeck Place, Knowlhill, Milton Keynes, MK5 8FR.

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, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school (where CCTV equipment is used)

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.
We may also receive information from health services, social care services, safeguarding teams and previous education providers

Some of the data we process is more sensitive, called special category data, such as information about health, safeguarding and special educational needs.

Why we use this data
We use pupils' personal data for the following purposes and rely on different lawful basis depending on the activity:

- Support, monitor and report on pupil learning and progress
- Provide appropriate pastoral care and protect pupil welfare
- Assess the quality of our services
- Comply with the law regarding data sharing

Our legal basis for using this data
We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation (for example safeguarding, statutory data sharing)
- We need it to perform an official task in the public interest (to provide education and meet regulatory requirements.

Sometimes, we may also process pupils' personal data in situations where:

- It is necessary to protect vital interests (for example in an emergency)
- It is necessary for legitimate interests (for example improving the support we provide), where this does not override pupils rights.
- We have obtained consent (for example use of photographs or certain activities)

Where we have obtained consent to use pupils' 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 information we process is more sensitive, including information about health, safeguarding, and special educational needs.
We process this data under the following legal conditions:

- Article 9(2)(b) – for carrying out obligations in education and safeguarding law
- Article 9(2)(g) – for reasons of substantial public interest (including safeguarding)
- Article 9(2)(h) – for health and social care purposes where applicable

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

Collecting this information
In many cases, we are required to collect and use information under education law and we do not rely on consent for these purposes.

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.
If we do not receive the information we need, we may not be able to provide appropriate education, ensure pupil safety, or meet our legal obligations.

How we store this data
We keep personal information about pupils whilst they are attending our schools. We may also keep it beyond their attendance at our schools if this is necessary in order to comply with our legal obligations.
Our *MacIntyre School Retention Schedule* sets out how long we keep information about pupils. For example, pupil records are typically retained in line with Department for Education guidance, often until the pupil reaches age 25, or longer where safeguarding or legal matters apply. You can request a copy from the school office.

Data Sharing
We do not share information about pupils except where we have a lawful basis to do so under data protection law.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with third parties including but not limited to the following:

- *The placing local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions*

- *The Department for Education and Education Funding Agency – to meet statutory requirements of providing pupil data that underpins school funding, educational attainment policy and monitoring.*
- *The pupil's family and representatives*
- *Educators and examining bodies*
- *Ofsted - our regulator*
- *Suppliers and service providers – to enable them to provide the service we have contracted them for.*
- *Our auditors*
- *Police forces, courts, tribunals*

Some organisations we share data with (such as local authorities, the Department for Education and exam bodies) are independent data controllers. Others process data on our behalf (data processors) such as:

- Jigsaw 24 – who provide and manage our iPads
- Clear Care Solutions – who provide a system to track pupils education and support

A full list of our third party processors can be obtained from our Data Protection Team.

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.

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

Youth support services
Once our pupils reach the age of 13, we are legally required under UK law to pass on certain information about them to the Local Authority placing the student with us, 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 suitable adult placement.

Parents/carers, or pupils once aged 16 or over, can contact our data protection team to request that we only pass on the individual's name, address and date of birth.

Use of Artificial Intelligence (AI)
We may use artificial intelligence (AI) and automated tools to support our services, improve decision-making, enhance efficiency, and help us deliver safe, high-quality care and education. These tools may assist with tasks such as analysing information, identifying patterns, supporting care or learning plans, or improving administrative processes.

Where we use AI, we ensure that it is used responsibly and in line with data protection law. This means we use appropriate safeguards, including human oversight, to ensure decisions are fair, transparent and accurate. We do not make decisions about individuals based solely on automated processing where those decisions would have a significant impact, without meaningful human involvement.

For more information about the schools use of AI, please see our AI Policy.

Transferring data internationally
Where we transfer personal data of the UK, we will do so in accordance with data protection law

ensuring appropriate safeguards are in place, such as UK approved transfer mechanisms.
We currently do not process data about students outside of the UK.

Parents and pupils' rights regarding personal data
Individuals have a right to make a **'subject access request'** to gain access to personal information that the school holds about them.

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 the age of 12 and under), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school 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
    - Please note that is some circumstances, such as safeguarding matters, access to certain information may be restricted where permitted by law.

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances. We will normally respond to requests within one month. If we require additional time, we will make you aware as soon as possible with reasons for the extension.

If you would like to make a request please contact our data protection team.

Please note parents / carers generally have the right to access their child's educational records under separate education legislation rather than being required to submit a Subject Access Request.

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 the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Request restriction of processing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person) – note, MacIntyre does not current make decisions about pupils based on solely automated means
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Data portability (where applicable)
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection team.

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 team:

- Email us on data.protection@macintyrecharity.org
- Leave us a message on 01905 230100
- Send us a letter at:

FAO Data Protection Team
MacIntyre
Seebeck House
1 Seebeck Place
Knowlhill
Milton Keynes
MK5 8FR

If we cannot resolve your complaint, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at Make a complaint | ICO
- Call 0303 123 1113