



The Fernwood School

High Achievement with Care & Discipline for All"

Visitors Privacy Notice

This notice will be monitored regularly and evaluated so that it remains responsive to current issues. This will be co-ordinated by the Data Protection Officer.

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Contents

Purpose of the Policy	3
The Personal Data We Hold	3
Why We Use This Data	4
Use of Your Personal Data for Marketing Purposes	4
Use of Your Personal Data in Automated Decision Making and Profiling.....	4
Our Lawful Basis for Using This Data.....	4
Our Basis for Using Special Category Data.....	5
Automated Decision Making and Profiling.....	5
Collecting This Information.....	6
How We Store This Data.....	6
Data Sharing.....	6
How to Access Personal Information That We Hold About You.....	7
Your Rights	7
Your Other Rights Regarding Your Data	7
Complaints.....	7
Contact.....	9



Purpose of the Policy

Under data protection law, individuals have a right to be informed about how The Fernwood Academy Trust 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 **visitors to the school**.

We, The Fernwood Academy Trust, are the 'data controller' for the purposes of data protection law.

Our data protection officer is SPS DPO Services.

The Personal Data We Hold

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- ✿ Name
- ✿ Contact details
- ✿ Information relating to the visit, e.g. company or organisation name, arrival and departure time, car number plate

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 access arrangements that may be required
- ✿ Photographs for identification purposes
- ✿ CCTV images captured in school

We may also hold data about you that we have received from other organisations, including other schools, employers and social services. This may include:

- ✿ Documents used for identity checks
- ✿ DBS Disclosure date and number
- ✿ Confirmation of any vetting checks undertaken on behalf of the school

We may collect the following information about you subsequent to an accident occurring on the school site:

- ✿ Full name, address and occupation of injured person
- ✿ Date and time of accident
- ✿ Location of accident
- ✿ Cause and nature of injury
- ✿ Name, address and occupation of person giving notice, if other than the injured person

The purpose of processing this data is necessary for legitimate interests, is a legal requirement, to ensure the health and safety of site users and for collecting information to produce statistics



relating to accidents and injuries. The information may be shared with Governors and Senior Leadership Team. We will retain the details for a period of seven years.

Why We Use This Data

We use the data listed above to:

- a) Identify you and keep you safe while on the school site
- b) Keep pupils and staff safe
- c) Maintain accurate records of visits to the school
- d) Provide appropriate access arrangements

Use of Your Personal Data for Marketing Purposes

Where you have given us 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 you.

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).

Use of Your Personal Data in Automated Decision Making and Profiling

We do not currently process any 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 Lawful Basis for Using This Data

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

For the purposes of a, b and d, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:

- ✿ Safeguarding Vulnerable Groups Act 2006

For the purposes of a and d, in accordance with the 'consent' basis – we will obtain consent from you to use your personal data

For the purposes of a and d, in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation

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



- ✿ Maintain the day-to-day functionality of the school
- ✿ Maintain appropriate records for the security of the site, students and staff.

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so.

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 data protection law:

- ✿ We have obtained your explicit consent to use your 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 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 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 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

Automated Decision Making and Profiling

We do not currently process any 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.



Collecting This Information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

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

- ✿ Local authorities
- ✿ Government departments or agencies
- ✿ Police forces, courts, tribunals
- ✿ Third parties who have provided a reference as part of the recruitment process

How We Store This Data

We keep personal information about you while you are visiting our school. We may also keep it beyond your visit with our school if this is necessary. Our records management policy sets out how long we keep information about visitors. For a copy of the policy please contact the School Office.

We have put in place appropriate security measures to prevent your personal information from 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 data protection law), we may share personal information about you with:

- ✿ Our local authority (Nottingham City) – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- ✿ Government departments or agencies
- ✿ Our auditors
- ✿ Police forces, courts, tribunals
- ✿ Employers – if you are providing a service for the Trust or representing a company

The Fernwood Academy Trust uses a variety of third party suppliers/software to support its operations which may require data to be shared, processed or stored. We use:

- ✿ Sign In App



How to Access Personal Information That We Hold About You

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with the GDPR.

Your Rights

How to access personal information we hold about you;

Individuals have a right to make a 'subject access request' to gain access to personal information that the Trust holds about them.

If you make a subject access request, and if we do hold information about you, 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
- ✿ 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 the Head Teacher's PA.

Your Other Rights Regarding Your Data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have 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
- ✿ 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 a Data Lead or the Head Teacher's PA.

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

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact one of our Data Leads in the first instance.

You may also contact our appointed Data Protection Officer (DPO):

Invicta Law Ltd

DPO@invicta.law

Invicta Law Ltd – 1 Abbey Wood Road – Kings Hill – West Malling - ME19 4YT