

Privacy Notice – For Visitors

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 privacy notice explains how we collect, store and use personal data from visitors to our school.

We, The Brigshaw Learning Partnership are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Mrs Wendy Harrington (see 'Contact us' below).

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 such as a mobile telephone number
- 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
- relevant medical information if required e.g. to assist you in an emergency. This includes physical and mental health and details of self isolation in a pandemic.

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, visitors, the wider community and staff safe
- c) Maintain accurate records of visits to the school
- d) Provide appropriate access arrangements
- e) Provide first aid if required

Our lawful basis for using this data

We will only collect and use information when the law allows us to. Most often, we will use information where:

- We need to comply with the law
- We need to use it to carry out our public task duty

Sometimes, we may also use personal information where:

- We need to protect the 'vital interests' of the public – for example, we will use this personal data in a life-or-death situation or to comply with Government Track and Trace regulations during a pandemic
- Where we need to process personal data to fulfil a contract

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 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, such as complying with Test and Trace legislation, 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

We collect and use visitor information for a number of different reasons:

- Requirements of the Education Act 1996 and 2011
- Article 6 and Article 9 of the new GDPR laws, provide some of the underpinning purposes for school's data collection.
- The School Staffing (England) Regulations 2009,
- Statutory guidance such as Keeping Children Safe in Education
- Equalities Act 2010

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 go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

Collecting this information

While the majority of information we collect about you 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 you will come from you, but we may also hold data about you from:

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

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 record retention schedule sets out how long we keep information about visitors.

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 – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- Government departments or agencies
- Our regulator, Ofsted
- Suppliers and service providers such as catering suppliers
- Our auditors
- Health authorities including NHS Test and Trace
- Professional advisers and consultants
- Police forces, courts, tribunals
- The directors, leaders and members of the BLP and individual school Local Governing Bodies
- PFI companies who hold staff contact and CCTV images (in schools managed by Pinnacle)

We share personal data with the Department for Education (DfE), OFSTED on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment of educational attainment.

We will not, without your express consent, provide your personal information to any third parties for the purpose of direct marketing.

Transferring data internationally

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

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 school holds about them.

If you make a Subject Access Request, and if we do hold information about you, you can request us to:

- 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 our Data Protection Officer.

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:

- In certain circumstances, object to the use of your personal data if it would cause, or is causing, damage or distress where there is no compelling reason for its continued processing
- Prevent your data being used to send direct marketing
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office

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 Wendy Harrington: DPO@brigshawtrust.com

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

You may also wish to refer to our whistleblowing policy, copies of this can also be found in the google drive.

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 (DPO):

- Wendy Harrington: DPO@brigshawtrust.com

The DPO role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the GDPR. If you feel your school's data procedures are not fully compliant in any way, please contact the DPO to discuss the matter.

Privacy Policy Changes

Although most changes are likely to be minor, the Brigshaw Learning Partnership may change its Privacy Policy from time to time, and in the Brigshaw Learning Partnership's sole discretion.

Brigshaw Learning Partnership (BLP)

Brigshaw Learning Partnership is the data controller for your school. The BLP can be contacted at:
Brigshaw High School, Brigshaw Lane, Allerton Bywater, Castleford, WF10 2HR Tel: 0113 2878900