

## Privacy Notice for Free School Meals (FSM)

Attain Academy Partnership (herein referred to as the 'Trust') is the Data Controller for the purpose of data protection law. The 'Trust' comprises of Bocking Primary School, Cressing Primary School, de Vere Primary School, Elm Hall Primary School, Gosfield Community Primary School, Newlands Spring Primary & Nursery School and Rayne Primary & Nursery School (herein referred to as the 'Academy').

You need to be aware of this Privacy Notice if you are making an application for free school meals via the London Grid for Learning (LGfL) FSM Eligibility Checker service.

### 1. Introduction

Under data protection law, individuals have a right to be informed about how an organisation uses any personal data held about them. We comply with this right by providing privacy notices to individuals where we are processing their personal data.

Attain Academy Partnership is the 'data controller' for the purposes of data protection law. We are the data controller for any personal data that you provide via the FSM Eligibility Checker service. We will ensure that the data given to us is processed in line with the Data Protection Act 2018 (DPA 18) and the EU General Data Protection Regulations (GDPR).

The headteacher / head of school in each Academy is responsible for ensuring that their Academy complies with Trust's policies and procedures in relation to Data Protection. This policy has been written with consideration given to working practices. By adopting this policy, a reduction in workload has been facilitated by reducing the need for individual academies to interpret the policy locally.

### 2. The categories of personal information that we collect, hold and share

The data we collect through the FSM checker service is to support the FSM eligibility checking process and will typically include:

- Contact details including parent's / guardian's name
- Parent's / guardian's date of birth
- Parent's / guardian's National Insurance number (or National Asylum Seeker Service Number)
- Name of at least one child at the school

Sensitive personal data is not collected or processed under the FSM checking service. However, we recognise that the economic situation of eligible parents/guardians must be handled within strictest confidence, whilst carrying out the claiming of additional funding from the LA or DfE.

### 3. Why do we need your personal information?

We collect information through the LGfL website to support the process of the FSM Eligibility Checker service. The service allows parents / guardians to check their eligibility for free school meals and schools, based on the results, to apply for additional funding to improve children's education, including the provision of free school meals and Pupil Premium for their children.

### 4. How the law allows us to use your information?

The provision of FSM to disadvantaged pupils is a requirement under section 512 of the Education Act.

The legal basis for processing data through the LGfL FSM Eligibility checker service has been determined as consent. The use of automated processing to determine eligibility by the online checking service means you the parent or guardian must agree for your details to be submitted into the FSM checker on the website.

## **5. Who do we share your information with?**

The FSM checker links to the Department of Education (DfE) portal and the Department of Work and Pensions (DWP) in order to enable an immediate decision to be made based on the information you provide.

Your school will be able to see the results of all eligibility checks made by parents/guardians connected with the school and will use the information to apply to the Local Authority and/or DfE for additional funding.

## **6. How do we protect your information?**

We will do what we can to make sure we hold records about you (on paper and electronically) in a secure way, and we will only make them available to those who have a right to see them.

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.

## **7. How long do we keep your personal information?**

Your data in relation to the LGfL checking service will be kept by the school for a period of 7 years whether you are eligible or not.

## **8. What are your Data Subject rights?**

Under data protection legislation you have the following rights:

- Right of access: You have a right to access your personal data and obtain a copy of the personal data that we hold about you.
- Right of rectification: You are entitled to ask us to correct your personal data if there are any errors or it is out of date.
- Right of erasure: you may request the deletion or removal of personal data where there is no compelling reason for its continued processing.
- Right to restrict processing: You may request that we cease processing your personal data where certain conditions apply.
- Right to data portability: you may request to obtain and reuse your personal data for your own purposes across different services when processing is carried out by automated means.
- Right to object: you have the right to object to certain types of processing such as direct marketing and automated processing, including profiling.

## **9. Transfer of personal information outside of the EU**

We do not share or store data in countries with no UK-equivalent privacy law protections. If we were to receive a request to send information outside of the UK, additional protection will be applied to the data and where the recipient country is not seen as 'safe' by the UK government, advice will be sought from the Information Commissioners Office prior to the data being sent.

## **10. Use of your personal data in automated decision making and profiling**

The FSM checker does do automated decision-making with the equivalent of legal effect, i.e. eligibility to claim free school meals and other additional funding for the school that the pupil attends. This is based upon DWP and DfE policy; therefore if a parent or guardian disagrees

they should approach the academy for an appeal or understanding of how the decision was based.

### 11. Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting [dpo@attain.essex.sch.uk](mailto:dpo@attain.essex.sch.uk)

### 12. Main privacy notice

You are viewing the Privacy Notice for Free School Meals. The main Privacy Notice for Pupils and Parents as well as the Data Protection policies may be found on the [Trust](#) website and on each individual school's website.

### 13. 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 the academy in the first instance.

If you would like to make a complaint, please contact our Data Protection Officer (See Contact details below).

If you still have concerns following our response you have the right to raise the matter directly with the Information Commissioner's Office:

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|-----------------------|--|
| <b>Online</b>         | <a href="https://ico.org.uk/concerns/">https://ico.org.uk/concerns/</a>                    |
| <b>Postal Address</b> | Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF |
| <b>Email</b>          | <a href="https://ico.org.uk/concerns/handling/">https://ico.org.uk/concerns/handling/</a>  |
| <b>Phone Number</b>   | 0303 123 1113  |

### 14. Contact

If you would like to discuss anything in this privacy notice or make a Subject Access Request, please contact the Data Protection officer

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|--------------------------------|--|
| <b>Data Protection Officer</b> | Mrs Ellwood  |
| <b>Postal Address</b>          | Attain Academy Partnership,<br>c/o Newlands Spring Primary and Nursery School, Dickens Place, Chelmsford CM1 4UU |
| <b>Email</b>                   | <a href="mailto:DPO@attain.essex.sch.uk">DPO@attain.essex.sch.uk</a>   |

Please ensure you include the name of the Academy in all correspondence with the DPO

### 15. Last updated

We may need to update the privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on **4 April 2022**.