

PRIVACY NOTICE

Pupils and Families (Secondary)

Reviewed: Mar 2021 Review Frequency: Annual



Who processes your information?

Ebor Academy Trust is a *Data Controller* of the personal information you provide to us. This means that we determine the purposes for which and the manner in which any personal data relating to pupils and families is to be processed. We have a responsibility to you and your personal data and will only collect and use this in ways which are compliant with data protection legislation.

The Trust has appointed the Director of Risk, Governance and Compliance as its *Data Protection Officer* (DPO). The role of the DPO is to ensure that the Trust is compliant with GDPR and to oversee data protection procedures. The DPO's email address is: dpo@ebor.academy

Why do we need your information?

Ebor Academy Trust has the legal requirement and a legitimate interest to collect and process personal data of pupils and their families, including those in relation to the following:

We collect and use pupil information, for the following purposes:

- to support pupil learning
- to monitor and report on pupil attainment progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us by the Department for Education

What information are we collecting?

The categories of information that we process include the following:

- personal identifiers and contacts (such as name, unique pupil number, pupil and emergency contact details and address)
- characteristics (such as age, gender, language)
- special categories of data (such as ethnicity, language, biometrics and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as national curriculum assessment results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Parental consent form for image and video use.

Collecting pupil and families' information

We collect pupil information via the school registration form or a Common Transfer File or secure file transfer if you are joining from a previous school:

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory some of it requested on a voluntary basis. In order to comply with data protection legislation we will inform you at the point of collection whether you are required to provide certain pupil information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

The Lawful Basis on which we process this information

Under the General Data Protection Regulation (GDPR), the lawful basis we rely on for processing pupil information are:

- Article 6 1(b) of the GDPR which allows processing that is necessary for the performance of a contract;
- Article 6 1(c) of the GDPR which allows processing that is necessary to comply with a legal obligation;
- Article 6 1(e) of the GDPR which allows processing that is carried out in the public interest;
- Article 9 2(b) of the GDPR which allows the processing of special category data that is necessary for carrying out obligations in the fields of employment and social security and social protection law;
- Article 9 2(g) of the GDPR which allows the processing of special category data that is necessary for reasons of substantial public interest;
- Article 9 2(j) of the GDPR which allows the processing of special category data when it is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes

Storing pupil and families' information

Personal data is stored securely in line with our Records Management and Data Protection policies. In accordance with data protection legislation it is only retained for as long as is necessary to fulfil the purposes for which it was obtained, and not kept indefinitely

Who do we share your personal data with?

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. We share information with the following:

- Local Authorities
- Department for Education (DfE)
- Education Skills Funding Agency
- Standards and Testing Agency
- Ofsted
- NHS (e.g. vaccinations and school nursing service)
- Police
- Social Services
- Educational Psychology Department
- Children & Adolescent Mental Health Services (CAMHS)
- Children and Family Court Advisory Service (CAFCAS)
- Careers Advisory Service providers
- Peripatetic services
- Alternative education providers
- Other schools/academies (during pupil transfer)

- Sixth form colleges and other post-16 providers
- Examination Boards
- Library records systems
- Management Information Systems
- CPOMS Safeguarding reporting system
- Parago accident reporting system
- Text and Email communication systems (e.g. Parent Hub)
- Cashless payment systems (e.g. ID Manager)
- Catering Providers
- IT Contractors
- Providers of visitor management and access control systems (e.g. Inventory)
- Residential trip organisers and insurers
- Educational trip management system (i.e. Evolve)
- Providers of online learning resources
- Providers of financial management software
- Photography and design agencies

Youth support services (Pupils aged 13+)

Once your child reaches the age of 13, we are legally required to pass pupil information to our local authority and/or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds. This enables local authorities to provide Youth Support Services, careers advice and post 16 education and training services.

What are your rights?

Pupils and Families have specific rights in relation to the processing of their personal data. You have a legal right to:

- Request access to the personal data that Ebor Academy holds;
- Request that your personal data is amended if it is inaccurate or incomplete;
- Request that your personal data is erased where there is no legal basis for its continued processing;
- Request that the processing of your personal data is restricted;
- Object to your personal data being processed if it is likely to cause, or is causing, damage or distress.

Requests must be submitted to the Data Protection Officer (on the contact details provided). Ebor Academy will consider all requests in line with your legal rights and our legal obligations.

Where the processing of data is based on explicit consent, there is a right to withdraw consent at any time. This will not affect any personal data that has been processed prior to withdrawing consent.

If you have a concern about the way we are collecting or using personal data, you should raise your concern with the Data Protection Officer in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns>

How the government uses your data

Under regulation 5 of The Education (Information about Individual Pupils) (England) Regulations 2013 we are required to share information about our pupils with the Department for Education.

The pupil data that we lawfully share with the DfE through data collections:

- Underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- Informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- Supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the department.

It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- local authorities
- researchers
- organization's connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated *March 2021*.

Contact

If you would like to discuss anything in this privacy notice, please contact: *The Ebor Academy Trust Data Protection Officer* via dpo@ebor.academy