



Educate  
Together  
Academy  
Trust

# Privacy Notice – Pupils and Parents

<b>Approval by:</b>	Professional Service Committee
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<b>Version</b>	<b>Date</b>	<b>Summary of changes</b>	<b>Author</b>
23.2	March 2023	Changed parents to parents/carers. Wording amended in the following sections: 'collecting this information', 'how to access personal information we hold about you', your other rights over your data'.	Data & Systems Officer

## **Privacy Notice (How we use your personal data)**

Educate Together Academy Trust needs to use data on pupils in order to be able to keep you safe and deliver the best education possible. Only essential data is held, and we always follow the law when we collect use, store, and share your data.

You have a legal right to be informed about how our Trust uses any personal information that we hold about you. This privacy notice explains how we collect, store, and use personal data about you.

Educate Together Academy Trust is the 'data controller' for the purposes of data protection law. The Trust directly employs a Data Protection Lead (see Contacts below). Our Data Protection Officer (DPO) is Amy Brittan (see 'Contact' below).

### **The personal data we hold about you**

We hold some personal information about you to make sure we can help you learn and look after you when you attend a school in our Trust.

For the same reasons, we get information about you from some other places too – like other schools, the local council and the government.

This information includes but is not limited to:

- your contact details and contact preferences
- assessments of your work
- your attendance records
- records to help keep you safe
- details of any support you receive, including care packages, plans and support providers
- details of any behaviour issues or exclusions
- photographs
- details of where you go when you leave us

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 medical conditions we need to be aware of, including your physical and mental health
- Photographs and CCTV images we capture in school
- Your characteristics, such as your ethnic background or special educational needs

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

## The personal data we hold about your parents or carers

We hold some personal information about your parents or carers to make sure we can help you learn and look after you at school.

- Contact details
- We may also hold some information about your parents or carers if you have a safeguarding folder
- Details of your family circumstances
  
- Records of their correspondence and contact with us
- Details of any complaints they may have made

We may also collect, use, store and share (when appropriate) information about them that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any health conditions they may have that we need to be aware of
- Photographs and CCTV images captured in school

We may also hold data about them that we have received from other organisations, including other schools and social services.

## Why we use this data

We use this data to help run the School and Trust including to:

- get in touch with you and your parents or carers when we need to
- check how you're doing in all subjects and work out whether you or your teachers need any extra help
- provide remote learning opportunities during periods of lockdown
- track how well the School and Trust is performing
- look after your wellbeing
- administer our waiting lists
- to share your data legally when we need to

## Our legal basis for using this data

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing your information are:

- we need to comply with the law (*Article 6(1)(c) of UK GDPR*)
- we need to use it to carry out a task in the public interest (in order to provide you with an education) (*Article 6(1)(e) of UK GDPR*)

Sometimes, we may also use your personal information where:

- you, or your parents/carers have given us permission to use it in a certain way (*Article 6(1)(a) of UK GDPR*)
- we need to protect your interests (or someone else's interest) e.g., in a life-or-death situation (*Article 6(1)(d) of UK GDPR*)

We may also collect and use information about your health or other protected characteristics such as your religion or ethnicity. These are special categories of personal information, and we will only collect and use it when it is necessary for public health, e.g., protecting against serious threats to health. The legal basis here is *Article 9(2)(i) of UK GDPR*.

Public Health England also has special permission from the Secretary of State for Health and Social Care to use personally identifiable information without your permission where this is in the public interest. This is known as 'Section 251' approval and includes the use of the information collected by NHS Test and Trace to help protect the public from coronavirus. The part of the law that applies here is Section 251 of the National Health Service Act 2006 and the associated Health Service (Control of Patient Information) Regulations 2002.

Where we have got permission to use your data, you or your parents/carers may withdraw this at any time. We will make this clear when we ask for permission and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

## **Collecting this information**

While in most cases you, or your parents/carers, must provide the personal information we need to collect, there are some occasions when you and your family can choose whether or not to provide the data. We will always tell you if it's optional and how to give us consent. If you or your family must provide the data, we will explain what might happen if you don't.

## **Giving consent for using your image**

Sometimes we may take pictures of you in school. We will ask your ~~family~~ parent/carer for permission to use your picture in a photo, video or sound recording. They can choose if they would like to allow us to use it. They can change their mind at any time by contacting the school office.

## **Data sharing**

We do not share personal information about you with anyone outside the school or Trust without permission from you or your parents/carers, unless the law and our policies allow us to do so.

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

› Who we share with	› ›
› Our local authority	› To meet our legal duties to share certain information with it, such as concerns about pupils' safety and exclusions
› The Department for Education	› We have to do this by law. This data sharing underpins school funding, educational policy and funding
› Ofsted	› We have to share information with them as our regulator.
› Your family and representatives	› To ensure that they know how you are doing and to protect your welfare
› Other schools after you leave our Trust	› We will transfer your pupil record, which consists of basic information, assessment data, any educational support, and any safeguarding records. We may share some information in advance if it will enable your next school to provide effective and timely support
› Police forces, courts, tribunals and security services	› As we are required to by law
› Educators and examining bodies	› To ensure that you are entered for exams and your results are recorded
› Health and social welfare organisations	› Such as the school nurse and the Education Welfare Officer to help look after your health and wellbeing
› Our payment service providers	› So that your family parent/carer can pay for meals, trips resources, wraparound care and activities.
› Providers of electronic learning resources	› To allow you to use their resources in class and at home
› Google Classroom, including Google Drive(Somerdale only)	› A suite of online tools that can be used by the school. The tools include a class 'blog', the ability for us to set tasks for learners and provide feedback. It has online software including Google versions of Word, PowerPoint and Excel.

## International transfers of personal data

We have audited where we store all the personal data processed in the School/Trust and by third party services. If a third-party service stores data in the EU or US, we have ensured that

safeguards such as standard contractual clauses are in place to allow the safe flow of data to and from the schools within our Trust.

## How we store this data

We will keep personal information about you while you are a pupil at a school in our Trust. We may also keep it after you have left the Trust, where we are required to by law. If you leave us mid-year or move to a new school outside of the Trust, we will transfer your pupil record to your next setting.

Our record retention schedule/records management policy is based on the [Information and Records Management Society's toolkit for schools](#) and sets out how long we keep information about pupils.

## National Pupil Database

We are required to provide information about you to the Department for Education (a government department) as part of data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#), (NPD) which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

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>

## Your rights

### How to access personal information we hold about you

You can find out if we hold any personal information about you, and how we use it, by making a 'subject access request', Your parents or carers may make this request on your behalf. If we think you are able to understand your rights and what they mean, we may ask your permission before providing information to your parents. We would not normally do this for a child who is still primary school age.

### If we do hold information about you, we will:

- give you a description of it
- tell you why we are holding and using it, and how long we will keep it for
- explain where we got it from, if not from you or your parents/carers
- tell you who it has been, or will be, shared with

## Your other rights over your data

You have other rights over how your personal data is used and kept safe, including the right to:

- say that you don't want it to be used if this would cause, or is causing, harm or distress
- stop it being used to send you marketing materials
- say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- have it corrected, deleted or destroyed if it is wrong, or restrict our use of it
- claim compensation if the data protection rules are broken and this harms you in some way
- let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person). We do not use it for this purpose at present.

Your parents or carers would normally make any requests like this for you.

Your family may also ask us to send your personal information to another organisation electronically in certain circumstances. If your family wants to make a request like this, please contact our Data Protection Lead (see 'Contact').

## Complaints

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by contacting our Data Protection Lead.

You can also complain to the Information Commissioner's Office in one of the following ways:

- report a concern online at <https://ico.org.uk/concerns/>
- call 0303 123 1113
- write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## Contact

Our Data Protection Officer is:

➤ Amy Brittan

dposchools@somerset.gov.uk

However, our Data Protection Lead has day-to-day responsibility for data protection issues in our school.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them:

➤ Nicki Crossley, Data and Systems Officer

gdpr@educatetogether.org.uk