

## Privacy notice

### South Hylton Primary Academy



Last reviewed:	March 2018
Review frequency:	Annually
Next Review Date:	March 2019

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## **How we use pupil/stakeholder information**

The Laidlaw Schools Trust will be known as the 'Controller' of the personal data you provide us. The basic personal data can include name, date of birth, address, National Insurance number, email and phone number.

We need to know your basic personal data in order to assist the smooth running of your academy and to provide a full and varied education. We will not collect any personal data from you we do not need to provide this education.

### **The categories of pupil information that we collect, hold and share include:**

- Personal information (such as name, unique pupil number and address).
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility).
- Attendance information (such as sessions attended, number of absences and absence reasons).
- Assessment information (such as grades, targets, comments).
- Medical information (such as allergies, dietary preferences, medical requirements).
- Special Education Needs (such as EHCP plans, SEND needs).
- Exclusion information.
- Behavioural information.
- Post 16 information.

See Appendix A for third party services we use.

## **Why we collect and use this information**

We use the pupil data:

- To support pupil learning.
- To monitor and report on pupil progress.
- To provide appropriate pastoral care.
- To assess the quality of our services.
- To comply with the law regarding data sharing.

## **The lawful basis on which we use this information**

We collect and use pupil information under **Article 6 of the GDPR regulations –**

- (a) Consent:** The individual has given clear consent for you to process their personal data for a specific purpose.

- (b) Contract:** The processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- (c) Legal obligation:** The processing is necessary for you to comply with the law (not including contractual obligations).
- (d) Vital interests:** The processing is necessary to protect someone's life.
- (e) Public task:** The processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- (f) Legitimate interests:** The processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)

**Article 9 of the GDPR** regulations also applies –

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

### **Collecting pupil information**

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

### **Storing pupil/stakeholder data**

We hold pupil/stakeholder data for as long as the pupil is undertaking education at our academy. We then store pupil/stakeholder data for a further six years after they have left the academy, for inspection and audit purposes.

### **Who we share pupil information with**

We routinely share pupil information with:

- Schools that the pupil's attend after leaving us.
- Our local authority.
- The Department for Education (DfE).

- The Laidlaw Schools Trust.
- School Nurse.
- NHS.

## **Why we share pupil information**

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 pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with the (DfE) under regulation 5 of The Education (Information about Individual Pupils) (England) Regulations 2013).

## **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>.

## **Youth support services**

### **Pupils aged 13+**

Once our pupils reach the age of 13, we also 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 under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- Youth support services.
- Careers advisers.

A parent or guardian can request that **only** their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once he / she reaches the age 16.

### **Pupils aged 16+**

We will also share certain information about pupils aged 16+ with 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 under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- Post-16 education and training providers.
- Youth support services.
- Careers advisers.

For more information about services for young people, please visit our local authority website.

## **The National Pupil Database (NPD)**

The NPD is owned and managed by the department for education (DfE) 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 DfE. 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.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The legality that allows this is the Education (Information about Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The DfE may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- Conducting research or analysis.
- Producing statistics.
- Providing information, advice or guidance.

The DfE has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- Who is requesting the data.
- The purpose for which it is required.
- The level and sensitivity of data requested.

- The arrangements in place to store and handle the data.

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:  
<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:  
<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

## **Data Retention**

Personal data will be need to be retained for longer in some cases than others. A judgement is made about:

The current and future value of information;  
The costs, risks and liabilities associated with retaining the information; and  
The ease or difficulty of making sure it remains accurate and up to date.

How long we hold data for depends on the purpose for which it was obtained and its nature. If it continues to be necessary to hold the data in relation to a legal basis or compliance with employment law, then data will be held for as long as that reason applies. On the other hand, information with only a short-term value may have to be deleted within days.

Where personal data is held for more than one purpose, there is no need to delete the data while it is still needed for any of those purposes.

We will review the personal data we hold about an individual on a yearly basis, and when that individual leaves the organisations employment. We will retain enough data to enable the Trust to deal with future requests for references and pension arrangements as an example. Please see Retention Policy for further details.

## **Data Erasure**

Individuals have the right to have their personal data erased if –

- the personal data is no longer necessary for the purpose which you originally collected or processed it for;

- you are relying on consent as your lawful basis for holding the data, and the individual withdraws their consent;
- you are relying on legitimate interests as your basis for processing, the individual objects to the processing of their data, and there is no overriding legitimate interest to continue this processing;
- you are processing the personal data for direct marketing purposes and the individual objects to that processing;
- you have processed the personal data unlawfully (ie in breach of the lawfulness requirement of the 1st principle);
- you have to do it to comply with a legal obligation; or
- you have processed the personal data to offer information society services to a child

## **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**', as long as we judge that you can properly understand your rights and what they mean.

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
- Tell you who it has been, or will be, shared with
- 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)
- Give you a copy of the information

You may also ask us to send your personal information to another organisation electronically in certain circumstances.

If you want to make a request please contact our data protection officer.

## **Requesting access to your personal data**

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact

You also have the right to:



- Object to processing of personal data that is likely to cause, or is causing, damage or distress.
- Prevent processing for the purpose of direct marketing.
- Object to decisions being taken by automated means.
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- Claim compensation for damages caused by a breach of the Data Protection Regulations.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

### **Contact**

If you would like to discuss anything in this privacy notice, please contact:

**School name – Laidlaw Schools Trust**  
**Data Protection Officer – Shaun Dillon**  
**Email – [shaun.dillon@laidlawschoolstrust.com](mailto:shaun.dillon@laidlawschoolstrust.com)**

Appendix A –

Third Party Suppliers we use –

CPOMS Systems Ltd

Skill Force

VisiPoint

Primary Contact

Capita Sims

A Conlin Ltd

Tapestry Online Learning Journals

Read Write Inc