

## Privacy Notice: Pupils

**Data Controller:** Nova Education Trust

**Data Protection Officer (DPO):** Ross Pritchard

**DPO Contact:** DPO@novaeducationtrust.net



## Policy Statement

We use information that we gather in relation to our pupils for various purposes. Information that we hold in relation to a pupil is known as personal data. This will include data that we obtain from pupils directly and data which we obtain from other people and organisations. We might also need to continue to hold personal data for a period of time after pupils have left the school/trust. Anything that we do with this personal data is known as processing.

The school/trust is committed to being transparent about how it collects and uses personal data and to meeting its data protection obligations.

## What information do we use?

We will collect, hold, share and otherwise use information about our pupils as set out below:

- Name
- Address
- Unique pupil number
- Unique learner number
- Nationality
- Photographs\*
- Telephone and email contact details
- Assessment information
- Behavioural information
- Service Children
- Eligibility for free school meals
- CCTV images
- Date of Birth
- Details of previous/future schools
- Language(s)
- Attendance information
- Country of birth

*\*Photographs – Schools will take individual photographs of pupils to be used on their Management Information System and registers for safeguarding purposes. These photographs will be taken by external photographers and will be made available to parents or carers/pupils to purchase. Photographs will also be taken of class and/or year groups and of normal school activities which may be used for internal displays within the school.*

## For Post 16 centres only

- Post 16 information such as UCAS references and bursary details

We will also collect, hold, share and otherwise use some information about our pupils which is special category personal data and we will take extra care to make sure that this is kept safe:

- Racial or ethnic origin
- Medical / health information
- Sexual life
- Religious beliefs
- Dietary requirements
- Sexual orientation
- Special educational needs
- Information relating to keeping you safe
- Disability information

## Schools using a cashless catering system only

- Genetic and biometric data

## What is the lawful basis on which we process this information?

We process some of this pupil data as we have a legal obligation under the Education Act 1996 to complete annual census returns. We also process this data in the public interest as our main purpose is the education of children and all of our activities are in support of that purpose.

### **Where do we get this information from?**

We get this information from:

- Pupils
- Parents/carers
- Teachers and other staff
- People from other organisations, like doctors or the local authority for example

### **Why do we use this information?**

We use this information:

- To support pupil learning
- To monitor and report on pupil progress
- To celebrate pupils achievements
- To provide appropriate pastoral care
- To assess the quality of our services
- To comply with the law regarding data sharing
- To support with the safeguarding agenda
- To facilitate school transport and trips
- To ensure everyone is treated fairly and equally
- To deal with emergencies

Some of these things we have to do by law. Other things we do because we need to in order to run the school/trust.

Sometimes we need permission to use our pupils' information. This includes taking pictures or videos of pupils to be used on our websites or in the newspaper. Before we do these things we will ask pupils or, if necessary, parents/carers for consent.

### **Why do we use special category personal data?**

We may need to use the information about pupils which is special (mentioned above), where there is a specific interest to do so, for example health and social care purposes or to provide pupils with equal opportunities and treatment. We will also use this information where pupils or parents/carers have given us permission to do so.

There may also be circumstances where we need to use pupil information in relation to legal claims, or to protect the vital interests of our pupils and where pupils are unable to provide your consent.

### **How long will we hold information in relation to our pupils?**

We will hold information relating to pupils only for as long as necessary. How long we need to hold on to any information will depend on the type of information. Where pupils change school, we will usually pass their information to their new school. For further details please see our Retention and Destruction Policy.

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

We may share information about our pupils with:

- Other schools or educational institutions our pupils may attend or require support from
- Local Authorities, to assist them in the exercise of their responsibilities in relation to education and training, youth support and safeguarding purposes
- The Department for Education as required by the law

- Contractors, to enable them to provide an effective service to the school, such as school meal providers or external tutors
- Assessment bodies for example examination boards and testing agencies
- Public health bodies when mandated to do so
- Other schools within our Multi Academy Trust

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.

### **Keeping this information safe**

It is very important that only people who need to use our pupils' information can see it.

The school/trust takes the security of our pupils' data seriously. We have internal policies and controls in place to ensure that personal data is not lost, accidentally destroyed, misused or disclosed, and is not accessed by anybody without the required permissions.

### **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-old 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 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 law 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 department 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 the 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: and
- 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 DfE'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 DfE 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 the DfE: <https://www.gov.uk/contact-dfe>

### **Individual's rights in relation to pupil information**

Pupils or their parents/carers can ask to see the information we hold about them. To do this contact:

**Ross Pritchard** (Data Protection Officer) –

[DPO@novaeducationtrust.net](mailto:DPO@novaeducationtrust.net) Individuals 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 feel it necessary to do any of the above, you can speak with the Data Protection Officer. The school/trust does not have to meet all of your requests and we will let you know where we are unable to do so.

### **Concerns**

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/>

### **Test and Trace: GDPR and our responsibility**

As an academy, we are obliged to follow Coronavirus advice from the government. We are also obligated to support public health bodies, and this includes the NHS 'Test and Trace' programme.

NHS Test and Trace is, where necessary, required to contact schools should a pupil at the school have come into contact with someone who has tested positive for coronavirus.

Our academy will support Test and Trace requests as part of our public duty but the only information we will share will be contact details of the parents/carers of the child identified in the request.

A record will be kept of any such request and subsequent disclosure.

### **Further information**

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

Ross Pritchard (Data Protection Officer) - [DPO@novaeducationtrust.net](mailto:DPO@novaeducationtrust.net)