

## **Privacy Notice for Pupils (also provided to Parents and Carers)**

You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This privacy notice explains how we collect, store and use personal data about you. This letter might be difficult for you to understand. You can ask your parents or another adult such as your teacher to help you understand it.

### **What categories of pupil information are collected and processed?**

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

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

The categories of your information that the school may collect, use, store and share (when appropriate) includes, but is not restricted to, the following:

- Personal identifiers such as name, address, contact preferences, date of birth, unique pupil number
- Characteristics such as ethnic background, eligibility for free school meals
- 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 key stage 1 and phonics results, post 16 courses enrolled for and any relevant results
- Behavioural information such as exclusions and any relevant alternative provision put in place
- Photographs
- CCTV images captured in school
- Catering and Free School Meal Management
- **Trips and activities – schools to amend if they collect anything not already listed above**

This list is not exhaustive, to access the current list of categories of information we process, please see the schools website at [xxxxxx.sheffield.sch.uk](http://xxxxxx.sheffield.sch.uk)

### **Why do we collect and use your information?**

We use this data to help run the school, including to:

- Get in touch with you and your parents when we need to
- Check how you're doing in exams and work out whether you or your teachers need any extra help

- Track how well the school as a whole is performing
- Look after your wellbeing
- To meet the statutory duties placed upon us for DfE data collections

## **Our legal basis for using this data**

We will only collect and use your information when the law allows us to. Most often, we will use your information where:

- We need to comply with the law
- We need to use it to carry out a task in the public interest (in order to provide you with an education)

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
- We need to protect your interests (or someone else's interest)

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.

The use of your information for these purposes is lawful for the following reasons:

- The Academy Trust is under a legal obligation to collect the information or the information is necessary for us to meet legal requirements imposed upon us such as our duty to safeguard pupils.
- It is necessary for us to hold and use your information for the purposes of our functions in providing schooling and so we can look after our pupils. This is a function which is in the public interest because everybody needs to have an education. This means we have real and proper reasons to use your information.
- We will not usually need your consent to use your information. However, if at any time it appears to us that we would like to use your personal data in a way which means that we would need your consent, then we will explain to you what we want to do and ask you for consent. This is most likely to be where we are involved in activities which are not really part of our job as a Multi Academy Trust/School but we are involved because we think it would benefit our pupils. If you give your consent, you may change your mind at any time. If we think that you will not understand what we are asking then we will ask your parent or carer instead. Usually, we will involve your parents or carers even if you can make your own decision.

## Collecting this information

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 the 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.

We collect pupil information via Data Collection Booklets (registration forms) at the start of the academic year and in Common Transfer Files (CTF) or secure file transfer from the Local Authority Admissions Team or a previous school.

## How we store this data

We will keep personal information about you while you are a pupil at our school. We may also keep it after you have left the school, where we are required to by law. We usually keep this information until your 25<sup>th</sup> birthday unless you move to another school in which case we send your file to your new school.

We store your personal information in accordance with the Information and Records Management Society's Toolkit for Schools which sets out how long we keep information about pupils. The toolkit is available online at [IRMS Toolkit for Schools](#).

## Data sharing

Where it is legally required, or necessary (and it complies with data protection law) we routinely share pupil information with:

- The Department for Education (DfE) and Central Government – we share pupils' data with the DfE on a statutory basis. 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. This data sharing underpins school funding and educational attainment policy and monitoring.
- Your new school if you move schools
- Disclosures connected with SEN support – eg. non-Local Authority professionals
- School Nursing Team
- CAMHS (Child and Adolescent Mental Health Service)
- Educators and Examining Bodies
- Sheffield City Council
- NHS
- Police, Fire and Rescue Service, Ambulance Service and other emergency or enforcement agencies
- Mercia Learning Trust
- Local government
- Our regulator, Ofsted
- Suppliers and service providers to enable them to provide the service we have contracted them for
- Financial organisations
- Our auditors
- School trips organisations

The information disclosed to these people/services will include sensitive personal information about you. Usually this means information about your health and any special educational needs or disabilities which you have. We do this because these people need the information so that they can support you.

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Our disclosure of your personal data is lawful for the following reasons:

- The Academy Trust is under a legal obligation to disclose the information or disclosing the information is necessary for us to meet legal requirements imposed upon us such as our duty to look after our pupils and protect them from harm.
- It is necessary for us to disclose your information for the purposes of our functions in providing schooling. This is a function which is in the public interest.
- We have a legitimate interest in disclosing your information because it is necessary in order to provide our pupils with education and pastoral care and connected purposes as outlined above.
- We will not usually need consent to disclose your information. However, if at any time it appears to us that we would need consent then this will be sought before a disclosure is made.

We do not normally transfer your information to a different country which is outside the European Economic Area. This would only happen if one of your parents lives abroad or if you move to a new school abroad. If this happens, we will be very careful to make sure that it is safe to transfer your information. We will look at whether that other country has good data protection laws for example. If we cannot be sure that it is safe then we will talk to you and your parents about it and make sure that you are happy for us to send your information. As this is not something we normally do and we don't know which country we might need to send your information to, we cannot tell you more about it now but if we want to transfer your data to a different country then we will tell you whether or not we think it is safe and why we have decided that.

## **Youth support services**

### **Pupils aged 13+**

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to Sheffield Futures (our Local Authority youth support services provider) as it has legal responsibilities regarding the education or training of 13-19 year-olds under section 507B of the Education Act 1996.

This information enables them to provide youth support services, post-16 education and training services, and careers advisers.

Parents/carers, or pupils once aged 16 or over, 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 our Data Protection Officer.

## **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.

## **Department for Education**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your information' section at the end of this document.

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

You have a right to make a **'subject access request'** to gain access to personal information that the school holds about you.

Your parents can make a request where you are not considered mature enough to understand your rights over your own data (usually under the age of 12), or where you have provided consent.

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 General Data Protection Regulations

There is no automatic parental right of access to educational records in academies, however, the Trust has determined that your parents, or those with parental responsibility, can have free access to your **educational record** (which includes most information about you) within 15 school days of receipt of a written request.

You also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

There is more information in our Data Protection Policy or you can ask your school's Data Protection Lead or the Trust's Data Protection Officer. The Data Protection Policy can be found on your school's website or you can ask for a copy at your school's reception.

## 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 us in the first instance.

If you would like to make a request please contact our Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

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

## Contact us

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

Miss Staley  
Mercia Learning Trust  
c/o King Egbert School  
Totley Brook Road  
Sheffield S17 3QU

This notice is based on the [Department for Education's model privacy notice](#) for pupils, amended to reflect the way we use data in this Multi-Academy Trust/school.

## How Government uses your data

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>

## National Pupil Database (NPD)

We are required to provide information about our pupils to the Department for Education as part of statutory data collections such as the school census and early years' census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research, produce statistics and provide information, advice and guidance. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations who promote the education or wellbeing of children in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD

## Sharing by the Department

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

- schools
- local authorities
- researchers

- organisations 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>

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