

Essa Foundation Academies Trust

Privacy Notice (How we use student and parent information)

Schools are required to inform students and their families about how their personal data may be collected and used. This requirement is specified in General Data Protection Regulation ((EU) 2016/679) ("GDPR"), which comes into effect from 25th May 2018. More information regarding the use of data by the Trust can be found in the GDPR Policy, available on the Trust website.

The categories of student 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 results
- Medical conditions
- Information relating to Special Education Needs and Disability
- Details of any behavioural issues e.g. number of temporary exclusions
- Further Education destination data
- Video footage of lessons for staff training and development
- Financial information for dinner/trip payments
- Photographs for identification and to record school life
- CCTV footage
- Information about use of our information and communication systems

Why we collect and use this information

We use the student data:

- To support student learning
- To monitor and report on student progress
- To provide appropriate pastoral care
- To assess the quality of our services
- To comply with the law regarding data sharing
- Get in touch with students and families when needed
- To check how well the Trust is performing

The lawful basis on which we use this information

ESSA Foundation Academies Trust, Lever Edge Lane, Bolton, BL3 3HH is the data controller for the purposes of data protection law. This means that we determine the purposes for which, and the manner in which, any personal data related to students and parents is processed.

We process this information under Article 6(1)(e) of the General Data Protection Regulation '*processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller*', Article 6(1)(f) '*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*', or Article 6 (1)(a) '*the data subject has given consent to the processing of his or her personal data for one or more specific purposes*'.

Additionally for special category data, we process data under Article 9 (2)(c) '*processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent*' and Article 9 (2)(a) '*the data subject has given explicit consent to the processing of those personal data for one or more specified purposes*'.

We are also required to collect information for the school census as per the Education Act 1996.

We are also bound by Section 3 of The Education (Information about Individual Students) (England) Regulations 2013.

Where necessary, third parties may be responsible for processing student and parent personal information. Where this is required, the Trust places data protection requirements on third party processors to ensure data is processed in line with student and parent privacy rights.

Mrs Kelsey is the data protection officer for the Trust. Her role is to oversee and monitor the Trust's data processing practices. She can be contacted on kelseyk@essaacademy.org and 01204 333222.

We will only collect and use student and family information when the law allows us to. Most commonly, we will use your information in the following circumstances:

- Where we need to comply with a legal obligation
- Where the information is needed in order to perform a task carried out in the public interest

Less commonly, we may also use your personal information in the following situations:

- Where you have told us we can use your information in a certain way
- Where we need to protect your interests (or someone else's interests)
- Where it is needed in the public interest

Collecting student 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 student information to us or if you have a choice in this.

Storing student data

Personal data for students and families is stored in line with the Trust's GDPR Policy. A copy is available on the Trust website.

Data is not stored indefinitely and is only stored for as long as is necessary for completing the task the data was collected for originally. Data will be held for student who is currently on the roll, and in some cases after the student has left if it is necessary for us to comply with a legal or professional obligation.

Who we share student information with

We routinely share pupil information with:

- Schools that students attend after leaving us
- Our local authority
- The Department for Education (DfE)
- Our regulator
- Educators and examining bodies
- Suppliers and service providers
- Central and local government
- Our auditors
- School boards
- Health authorities
- Health and social welfare organisations
- Professional advisors and consultants
- Police forces, courts, tribunals
- Professional bodies

Why we share student information

We do not share information about our students or families with anyone without consent, unless the law and our policies allow us to do so.

We share students' 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 students 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.

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 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.

Law requires us, 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 Department 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: 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 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>

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 Mrs Kelsey on kelseyk@essaacademy.org or on 02104 333222.

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:

Mrs Kelsey, Data Protection Officer, on kelseyk@essaacademy.org or on 02104 333222.