

*'They will soar on wings like eagles...'*  
Isaiah 40:31

collaborate | enrich | trust | innovate | aspire | nurture



Multi Academy Trust Policy

Common Trust Policy, Use as Published

## **Privacy notice for pupils**

Date adopted by Trust Board: 23//05/2018

Date of Review: March 2022

Date of next Review: March 2026

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# 1. Introduction

You have a legal right to be informed about how our Academy/Trust 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 **pupils at our academy**, like you.

We, St Nicholas CE Primary Academy, Fairfield Road, New Romney Kent TN28 8BP – Tel: 01797 361906, are the 'data controller' for the purposes of UK data protection law.

Our data protection officer is Tracey Howard (see 'Contact us' below).

## 2. The personal data we hold

We hold some personal information about you to make sure we can help you learn and look after you. For the same reasons, we get information about you from some other places too – like other schools, the local council and the government.

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs

## 3. Why we use this data

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research including pupil surveys
- Comply with the law regarding data sharing

### 3.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you messages by email or text promoting academy events, campaigns, charitable causes or services that you might be interested in.

You can take back this consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us.

### **3.2 Use of your personal data in automated decision making and profiling**

We don't currently put your personal information through any automated decision making or profiling process. This means we don't make decisions about you using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

## **4. Our lawful basis for using this data**

St Nicholas CE Primary Academy holds the legal right to collect and process personal data relating to pupils and their families and we may also receive information regarding them from their previous school, Local Authority (LA) and/or the Department for Education (DfE). We collect and process personal data in order to meet legal requirements and legitimate interests set out in the General Data Protection Regulations (GDPR), in force from 25<sup>th</sup> May 2018 and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR from 25 May 2018
- Education Act 1996

### **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.

Where you've provided us with consent to use your information, you may take back this consent at any time. We'll make this clear when requesting your consent, and explain how you'd go about withdrawing consent if you want to.

### **4.1 Our basis for using special category data**

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your information in a certain way
- We need to use your information under employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The information has already been made obviously public by you
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation
- We need to use it for health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made obviously public by you

- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

## 5. Collecting this data

While most of the information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we want to collect information from you, we make it clear if you have to give us this information (and if so, what the possible consequences are of not doing that), or if you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local councils
- Government departments or agencies
- Police forces, courts, tribunals

## 6. How we store this data

We keep personal information about you while you are attending our academy. We may also keep it beyond your attendance at our academy if this is necessary. Our record retention schedule/records management policy sets out how long we keep information about pupils.

**PLEASE SEE THE AQUILA DATA RETENTION POLICY FOR FURTHER INFORMATION ON THE RETENTION OF RECORDS.**

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

## 7. Who we share data with

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

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Our local authority (Kent) – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education – to meet our legal obligations and as it is necessary for the performance of a task carried out in the public interest and in the exercise of authority
- The pupil's family and representatives - to meet our legal obligations to share certain information with them, such as safeguarding concerns and exclusions
- Educators and examining bodies - to meet our legal obligations and as it is necessary for the performance of a task carried out in the public interest and in the exercise of authority
- Our regulator e.g. Ofsted – to meet our legal obligations and as it is necessary for the performance of a task carried out in the public interest and in the exercise of authority
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Our auditors – necessary for compliance with a legal obligation
- External survey and research organisations – with parents/carers consent
- Health authorities – necessary for compliance with a legal obligation, such as safeguarding. In other cases the health professional seeks consent through the school
- Professional advisers and consultants – necessary for the performance of a contract
- Charities and voluntary organisations - necessary for the performance of a task carried out in the public interest and in the exercise of authority
- Police forces, courts, tribunals – necessary for compliance with a legal obligation

- Professional bodies – necessary for the performance of a contract

## National Pupil Database

We are required to provide information about 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.

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 National Pupil Database with other organisations which promote children's education or wellbeing 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 National Pupil Database.

### 7.1 Transferring data internationally

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

## 8. Your rights

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

Individuals have a right to make a 'subject access request' to gain access to personal information that the academy holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

If you make a subject access request, and if we do hold information about your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

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

If you would like to make a request, please contact us at the school or Trust.

### 8.2 Your other rights regarding your data

Under UK data protection law, you have certain rights regarding how your personal information is used and kept safe. For example, you have the right to:

- Say that you don't want your personal information to be used
- Stop it being used to send you marketing materials

- Say that you don't want it to be used for automated decisions (decisions made by a computer or machine, rather than by a person)
- In some cases, have it corrected if it's inaccurate
- In some cases, have it deleted or destroyed, or restrict its use
- Withdraw your consent, where you previously provided consent for your personal information to be collected, processed and transferred for a particular reason
- In some cases, be notified of a data breach
- Make a complaint to the Information Commissioner's Office

To exercise any of these rights, please contact our data protection officer.

## 9. 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.

To make a complaint, 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

## 10. Contact us

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

Aquila data protection officer is:

Tracey Howard [thoward@aquilatrust.co.uk](mailto:thoward@aquilatrust.co.uk)

However, our data protection lead has day-to-day responsibility for data protection issues in our academy.

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

Hilary Andrews [handrews@st-nicholas-newromney.kent.sch.uk](mailto:handrews@st-nicholas-newromney.kent.sch.uk)