

Privacy Notice for Pupils, Parents and Families

What is a Privacy Notice?

The Data Protection Act 2018 gives everyone the right to be informed about how their information is used by organisations. This Privacy Notice explains how we use information about our pupils and their families. If you can be identified from the information we hold, then this is known as “personal data”.

This Privacy Notice explains:

- why we use your personal data
- the reasons we need to do this
- what kinds of personal data we use
- where we collect your personal data from
- who we will share your personal data with
- how you can find out more.

Who processes your information?

Elston Hall Learning Trust is the “Data Controller” of personal data. This means the school is responsible for deciding how to use the personal information we hold about our pupils and their parent/carers.

We refer to information that identifies you as “personal data”. When we use your personal data in different ways, this is called “processing”. The Data Protection Act (2018) outlines how personal data should be protected and processed appropriately by organisations including schools.

All staff within the Academy Trust receive data protection training so that they understand how to use personal data appropriately.

Where we choose to share your information with people who provide essential systems and services to our schools, we ensure that the same data protection standards are in place. If sharing your information with service providers is not essential, we will always ask for your consent (permission) before this takes place.

The Trust has a Data Protection Officer (provided by Services 4 Schools Ltd). Their role is to oversee and monitor our Trust’s data protection procedures, and to ensure they are compliant with data protection legislation. The data protection officer can be contacted by emailing: dataprotection@ehlt.org.uk

The categories of pupil information that we process include:

- Personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- Characteristics (such as ethnicity, language, and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Images (such as photographs and CCTV images)
- 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 Information (such as sessions attended, number of absences, absence reasons and any previous schools attended)

- Assessment and attainment (such as statutory Key Stage and teacher assessments)
- Behavioural information (such as incidents, interventions, exclusions and any relevant alternative provision put in place)

The categories of parent/family information we process include:

- Personal identifiers and contacts (such as name, address, phone numbers, email addresses, National Insurance number)
- Financial and meal management information, e.g. account and transactional information for school meals and eligibility for free school meals
- Information pertaining to home life where appropriate, e.g. where a pupil is identified as having a mental health issue or there are safeguarding concerns

Why we collect and use your information

Most of the information we collect about pupils and their families is used to help perform our duties as a public authority. These include:

- To support pupil learning (onsite and remote)
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To keep pupils safe when learning online
- To assess the quality of our service
- To comply with the law regarding data sharing
- To keep children safe (safeguarding, health and safety of pupils)
- To meet the statutory duties placed upon us for the Department for Education (DfE) data collections

Under the [UK General Data Protection Regulation \(UK GDPR\)](#), the lawful bases we rely on for processing pupil information for general purposes are:

- 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
- Article 6, 1, (c) processing is necessary for compliance with a legal obligation to which the controller is subject

The basis/bases we rely on for processing pupil special category information for general purposes are:

- Article 9, 1, (a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject
- Article 9, 1, (b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject

We also collect and use personal data where it is necessary to meet the legal responsibilities set out in data protection legislation, other UK law and regulation that applies to schools. These include the following:

- Education Act 2011
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

- Keeping Children Safe in Education 2023 regulations

We may also need to share your personal data with other official bodies, or organisations where we are required to by other UK law.

If we would like to use your information for another reason, then we will ask for your permission (consent) before doing so. When we ask for consent, we will explain what your information will be used for, by who and what choices you have about how it is used.

Collecting Pupil Information

We collect pupil information via registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from previous school.

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.

Storing your data

Personal data relating to pupils and their families is stored in line with the Trust's records management policy and procedure. This policy is based on retention guidance published by the Information Records Management Society (IRMS) in their toolkits for schools and academies.

In accordance with the Data Protection Act, the Trust does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

We will also retain personal data in the form of images, registers and examples of work for the purposes of archiving and as a historical record of school life. This information may later be published in school literature, displays or external media. In this case, the personal data we retain will be proportionate and limited to what is necessary.

Who we share information with

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. We routinely share pupil information with:

- Pupils' destinations upon leaving the school
- Local Authorities (Local Councils)
- The NHS (including the School Nursing Service, Speech and Language Therapists)
- Other agencies i.e. Social Care, Police, Public Health England
- The system we use for managing pupil welfare (e.g.: CPOMS / My Concern / iSchool)
- The systems we use for active monitoring and filtering of online activities
- The systems we use to help manage school finance
- The cashless payments systems available to parents
- Our door entry systems
- The systems and resources we use to help deliver the curriculum (including Microsoft Teams and online subject resources we have selected for use with our pupils)
- The systems we use to manage pupil information (Arbor / SIMs)
- The systems we use to help communicate with parents (e.g.: Teachers 2 Parents)
- The providers of therapeutic and counselling support to our schools

The information that we share with these parties includes the following:

- Personal information – names, addresses, dates of birth, gender, contact details
- Pupil assessments- End of Key Stage assessment and results
- Attendance Information - number of absences at school
- Relevant medical information
- Information relating to SEND
- Behavioural information – number of exclusions
- Biometric information (only where you have given explicit consent)

Department for Education (DfE)

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 the Department for Education (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 data’ section.

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 our Data Protection Officer (*see details in ‘Contact’ section below*).

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner’s Office at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the ‘How Government uses your data’ section of this notice.

Withdrawal of consent or the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Trust directly in writing.

If you would like to exercise any of these rights or request copies of your personal data, please let us know by contacting our Data Protection Officer (*see details in ‘Contact’ section below*).

Contact

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer:

Email:

dataprotection@ehlt.org.uk

In writing:

For the attention of the Data Protection Officer

Elston Hall Learning Trust,

Stafford Road,

Fordhouses,

Wolverhampton

WV10 6NN

Revisions and last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time.

This version was last updated September 2023

How Government uses your data

The pupil data that we lawfully share with the Department for Education (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 (DfE) (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in 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 Department for Education (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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and 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 for Education's (DfE) 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 the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) 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/df-external-data-shares>

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the [Data Protection Act 2018](#), you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>