



Privacy Notice for Pupils and Parents

This privacy notice tells you what to expect us to do with your personal information when you make contact with us or use one of our services.

SMART Multi Academy Trust (the Trust), including all schools, is required to keep and process information about its pupils and parents' in accordance with its legal obligations under the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

When processing pupil and parent information, the Trust is Data Controller. This means that the Trust determines the purposes for which and the manner in which personal data is processed.

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)
- 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))
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Biometric data (for pupil identification)
- Related pupil information, such as parental reports/correspondence/pastoral support
- Parental consent information

This list is not exhaustive; the Trust holds an Information Asset Register of all data processing activities.

Why we collect and use pupil information

The Academy Trust holds the legal right to collect and use personal data relating to pupils and their families, and may also receive information regarding them from their previous school, the relevant Local Authority (LA) and/or the Department for Education (DfE).

The personal data collected is essential for the Trust to fulfil its official functions and meet legal requirements.

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) to safeguard pupils
- c) to monitor and report on pupil attainment progress
- d) to provide appropriate pastoral care
- e) to assess the quality of our services

- f) to keep children safe (food allergies, or emergency contact details)
- g) to meet the statutory duties placed upon us by the Department for Education

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information are:

- a) Consent: you have given clear consent for us to process your/your child's personal data for a specific purpose. For example, for photographs to be published on the school's social media accounts or website.
- b) Legal obligation: the processing is necessary for us to comply with the law. For example, each school is required to submit a school census return each term to the Department of Education (DFE). This return must include specific information outlined by the DFE, such as your child's attendance.
- c) Public task: the processing is necessary for us to perform a task in the public interest or for our official functions. For example, we have adequate information to safeguard your child.

The Trust also processes special category data. Examples of special category data (taken from the Information Commissioner's Office website) includes:

- race
- ethnic origin
- politics
- religion
- trade union membership
- genetics
- biometrics (where used for ID purposes)
- health
- sexual orientation

The Trust will only process special category information where:

- We have to by law
- We are required to for medical or health purposes
- Where consent has been given

Collecting pupil information

We collect pupil information via the following means:

- Pupil registration forms and information supplied by parents
- Other schools
- The Local Authority
- The Department for Education
- External agencies

Pupil data is essential for the Trust's operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it is 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 and we will tell you what you need to do if you do not want to share this information with us.

Storing pupil data

We hold pupil data securely for the set amount of time shown in the retention schedule section of the Trust Information Management policy (available on request from the DPO). All electronic information is stored securely on the Trust network.

Who we share pupil information with

We routinely share pupil information with:

- Schools
- local authorities
- youth support services (pupils aged 13+)
- the Department for Education (DfE)
- Ofsted
- Health services and social care
- Police

Where we do not have a legal basis for sharing information with a third party (such as a hotel for a school trip), we will request consent from you.

Why we regularly share pupil information

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

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 data' section.

Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the [Schools Admission Code](#), including conducting Fair Access Panels.

Requesting access to your personal data from the Trust

Under GDPR, 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 the Trust Data Protection Officer (DPO@smartacademies.net).

Depending on the lawful basis above, you may 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
- a right to seek redress, either through the Information Commissioner's Office (ICO), or through the courts

All subject access requests will be managed in line with our Freedom of Information Policy, available on request from the DPO.

If you have a concern 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 ICO at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and 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 Data Protection Officer at DPO@smartacademies.net.

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 on the 25th September 2019.

Contact

If you would like to discuss anything in this privacy notice, please contact the Trust Data Protection Officer; DPO@smartacademies.net.

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 KS2 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>

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 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.

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

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>

How to find out what personal information DfE hold about you or your child

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's 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 DfE: <https://www.gov.uk/contact-dfe>

Appendix 1 COVID Virus Addendum

In line with the DfE guidance for the full opening of schools (see link below) be aware of the following additions.

There is an expectation that in the event that a child is tested for COVID virus that parents or carers should share the results of the test with school leaders to inform return to school in line with risk assessments. There is no legal duty to report and school cannot insist but in the spirit of cooperation and support it is hoped that this information will be shared to inform risk assessments.

Also to be aware that the Health Protection Team Newcastle will on behalf of public health England will share the name and identifying data for all pupils who test positive for COVID virus this will allow schools to adequately risk assess.

<https://www.gov.uk/government/publications/actions-for-schools-during-the-coronavirus-outbreak/guidance-for-full-opening-schools>