PRIVACY NOTICE – PUPILS AND THEIR FAMILIES

Acorn Education Trust holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous educational setting, Local Authority and/or the DfE. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the General Data Protection Regulations (GDPR) and UK law

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Who processes your information?

Acorn Education Trust and the schools and other settings (all hereafter referred to as settings) within the Trust are the data controllers of the personal information you provide to us.

Privacy Notice (How we use pupil information)

1. The categories of pupil information that we collect, hold and share include:
    - Personal information (such as name, unique pupil number, address and relationship to other pupils at the setting)
    - 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)
    - Behavioural information (such as positive or negative behaviour, exclusions, detentions)
    - Relevant medical information
    - Assessment information
    - Post-16 learning information
    - Special educational needs information
    - Biometric Data (we may use an automated biometric fingerprint recognition system which is used to purchase items from the ~~school~~ canteen and in our library to loan books. The system takes measurements of the fingerprint; it does not capture a complete image so the original fingerprint cannot be recreated from the data)

Why we collect and use this information

2. We use the pupil data:
    - to support pupil learning
    - to monitor and report on pupil progress
    - to provide appropriate pastoral care
    - to assess the quality of our services
    - to comply with the law regarding data sharing

The lawful basis on which we use this information

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

Article 6

1. *Processing shall be lawful only if and to the extent that at least one of the following applies:*

(c) *Processing is necessary for compliance with a legal obligation to which the controller is subject;*

Article 9

1. *Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.*

2. *Paragraph 1 shall not apply if one of the following applies:*

(j) *Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.*

3. The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

4. Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

Collecting pupil information

5. 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.

Storing pupil data

6. We hold pupil data for as long as we need to in order to educate and look after pupils. We will keep some information after pupils have left the Trust, for example, so that we can find out what happened if a complaint is made.

7. In exceptional circumstances we may keep pupil information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under the law.

8. We can keep information about pupils for a very long time or even indefinitely if we need this for historical, research, safeguarding or statistical purposes. Please see our Information and Records Retention Policy for more detailed information.

Who we share pupil information with

9. We routinely share pupil information with:

- settings that pupils attend after leaving us
- the Local Authority
- the Department for Education (DfE)
- Careers advisors
- Medical practitioners and NHS staff
- Agencies involved in caring for and supporting pupils
- Parents and carers
- Exam boards
- Our catering companies
- External suppliers (e.g. travel companies or those providing off-site activities)
- Curriculum support providers (e.g. SAM Learning and My Maths)

Why we share pupil information

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

11. We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

12. We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Data collection requirements:

13. 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 (not applicable to primary schools)

14. 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.

15. This enables them to provide services as follows:

    - youth support services
    - careers advisers

16. 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.

17. 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.

18. This enables them to provide services as follows:

    - post-16 education and training providers
    - youth support services
    - careers advisers

19. For more information about services for young people, please visit our local authority website.

The National Pupil Database (NPD)

20. 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.

21. We are required by law, 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.

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

23. 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

24. 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

25. 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.

26. 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

27. 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

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

Requesting access to your personal data

29. 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 info@acorneducationtrust.com or the School office.

30. 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

31. 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 info@acorneducationtrust.com or the School Office.