

SECAT

Building strong schools,
Building strong partnerships,
Building strong communities

SOUTHEND EAST COMMUNITY ACADEMY TRUST

PRIVACY NOTICE FOR PARENTS AND PUPILS

Status: Statutory

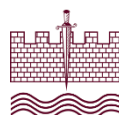
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Reviewed and ratified by: Audit, Risk and Resources Committee

Signed by Trust/Committee Chair *Sildi Jasharaj*

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Southend East Community Academy Trust (SECAT) is committed to protecting the privacy and security of personal information. This privacy notice describes how we collect and use personal information about pupils, in accordance with the UK General Data Protection Regulation (GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

Who Collects This Information?

SECAT is the data controller for the use of personal data in this privacy notice. As a Trust we collect a significant amount of information about our pupils. This notice explains why we collect the information, how we use it, the type of information we collect and our lawful reasons to do so.

Personal Data That We Collect, Process, Hold and Share

The DfE and government requires us to collect a lot of data by law, so that they can monitor and support schools more widely, as well as checking on individual schools' effectiveness.

The categories of pupil information that we process include:

- Personal information such as name, pupil number, date of birth, gender and contact information;
- Emergency contact and family lifestyle information such as names, relationship, phone numbers and email addresses;
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility);
- Attendance details (such as sessions attended, number of absences and reasons for absence);
- Post 16 learning information;
- Sixth form students' financial details;
- Performance and assessment information;
- Behavioural information (including exclusions);
- Special educational needs and disability information;
- Special categories of personal data (including biometric data, ethnicity, relevant medical information, special educational needs and disability information);
- Images of pupils engaging in school activities, and images captured by the School's CCTV system;
- Information about the use of our IT, communications and other systems, and other monitoring information;
- Safeguarding information (such as court orders and professional involvement);
- 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 information (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results);
- Behavioural information (such as exclusions and any relevant alternative provision put in place);
- CCTV, photos and video recordings of you are also personal information.

Collecting This Information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the UK 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.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Why do we collect data?

We collect and use pupil data for the following purposes:

- Pupil selection (and to confirm the identity of prospective pupils and their parents);
- To support pupil learning;
- To provide appropriate pastoral care (and, where necessary, medical) care;;
- To assess the quality of our services;
- To keep children safe (e.g. food allergies, emergency contact details);
- To meet the statutory duties placed upon us for the Department of Education (DfE) data collections;
- To fulfil our statutory obligations to safeguard and protect children and vulnerable people;
- To enable targeted, personalised learning for pupils;
- To manage behaviour and effective discipline;
- To comply with our legal obligations to share data;
- To keep pupils, parents and carers informed about school events and school news;
- Providing education services and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- Informing decisions such as the funding of schools;
- Assessing performance and to set targets for schools;
- Supporting teaching and learning;
- Giving and receiving information and references about past, current and prospective pupils, and to provide references to potential employers of past pupils;
- Managing internal policy and procedure;
- Enabling pupils to take part in assessments, to publish the results of examinations and to record pupil achievements;
- To carry out statistical analysis for diversity purposes;
- Legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care;
- Enabling relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- Monitoring use of the school's IT and communications systems in accordance with the school's IT security policy;
- Making use of photographic images of pupils in school publications, on the school website and on social media channels;
- Security purposes, including CCTV; and
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

The Lawful Basis on Which We Use This Information

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

- Consent: the individual has given clear consent to process their personal data for a specific purpose;
- Contract: the processing is necessary for a contract with the individual;
- Legal obligation: the processing is necessary to comply with the law (not including contractual obligations);
- Vital interests: the processing is necessary to protect someone's life.
- Public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law; and
- The Education Act 1996: for Departmental Censuses three times a year. More information can be found at: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We need all the categories of information in the list above primarily to allow us to comply with legal obligations. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

We must make sure that information we collect and use about pupils is in line with the [UK General Data Protection Regulation \(UK GDPR\)](#) and the [Data Protection Act](#). This means that we must have a lawful

reason to collect the data, and that if we share that with another organisation or individual, we must have a legal basis to do so.

The lawful basis for schools to collect information comes from a variety of sources, such as the [Education Act 1996](#), [Regulation 5 of The Education \(Information About Individual Pupils\) \(England\) Regulations 2013](#), [Article 6](#) and [Article 9](#) of the UK GDPR.

The Department for Education and Local Authorities require us to collect certain information and report back to them. This is called a 'public task' and is recognised in law as it is necessary to provide the information.

We also have obligations to collect data about children who are at risk of suffering harm, and to share that with other agencies who have a responsibility to safeguard children, such as the police and social care.

We also share information about pupils who may need or have an Education Health and Care Plan (or Statement of Special Educational Needs). Medical teams have access to some information about pupils, either by agreement or because the law says we must share that information, for example school nurses may visit the school.

Counselling services, careers services, occupational therapists are the type of people we will share information, so long as we have consent or are required by law to do so.

We must keep up to date information about parents and carers for emergency contacts.

Collecting pupil information

We collect pupil information via admission forms when they start the school or by a secure file transfer from the pupil's previous school. In addition, we send out data collection forms to confirm that the data we hold is correct.

Pupil data is essential for the schools' 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 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.

Who We Share Your Information With

We do not share personal information about you with anyone outside of the school without permission from you or your parents/carers, unless the law and our policies allow us to do so.

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

- Our local authority - to meet our legal duties to share certain information with them, such as concerns about your safety and exclusions;
- The Department for Education;
- Your family and representatives;
- Educators and examining bodies;
- Our regulator Ofsted (the organisation or "watchdog" that supervises us);
- Suppliers and service providers – so that they can provide the services we have contracted them for;
- Financial organisations;
- Central and local government;
- Our auditors;
- Survey and research organisations;
- Health authorities;
- Security organisations;
- Health and social welfare organisations;
- Professional advisers and consultants;
- Charities and voluntary organisations;
- Police forces, courts, tribunals;

- Professional bodies.

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.

How We Store Pupil Data

SECAT keep information about pupils on computer systems and sometimes on paper.

Except as required by law, the School only retains information about pupils for as long as necessary in accordance with timeframes imposed by law and our internal policy.

If you require further information about our retention periods, please email gdpr@secat.co.uk and we can provide you with a copy of our policy.

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.

We must provide the pupil's name, the parents' name(s) and any further information relevant to the support services role.

This enables them to provide services as follows:

- youth support services
- careers advisers

The information shared is limited to the child's name, address and date of birth. However where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child / pupil once they reach the age 16.

Pupils aged 16+

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.

This enables them to provide services as follows:

- Post-16 education and training providers;
- Youth support services;
- Careers advisers.

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

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:

We are required to share information about our pupils with the (DfE) as part of the school census return 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 of this privacy notice.

Your Right of 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 education record, please email gdpr@secat.co.uk

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 want to exercise any of the above rights, please email gdpr@secat.co.uk

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

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 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 Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

Right to withdraw consent

In circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please email gdpr@secat.co.uk

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Contact us

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, we request that you email gdpr@secat.co.uk in the first instance to raise your concerns.

We have appointed a Data Protection Officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by emailing our internal Data Protection Lead at gdpr@secat.co.uk then you can contact the DPO on the details below:

Data Protection Officer (DPO)

Details: SBM Services
01206 671103

Email: info@sbmservices.co.uk

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns>.

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