

## Privacy Notice – How We Use Pupil Information

Under UK data protection law, individuals have a right to be informed about how our school uses any personal data that we hold about them. We comply with this right by providing ‘privacy notices’ to individuals where we are processing their personal data.

This privacy notice applies because generally, age 12, is considered to be the age where children may be capable of understanding and exercising their own data protection rights.

Transform Trust is the overall Data Controller for the purposes of UK data protection law and our data protection officer is Jill Wilkinson, contact details below. Each school within our Trust need to use information about your child to ensure that they are accessing high quality education, learning and support to enable your child to do their very best.

The information we hold is kept very safe. Should you want to know what we do with the information, please ask your teacher or speak to your parents/carers and ask them to contact the School Office.

In each School, there is also a Data Controller who is the Headteacher, and their main Data Processor is the School Business/Office Manager. Any of these, can answer any questions you may have about what we do with your information.

If you want to speak to them, then they can do this by contacting the school office or by contacting Jill Wilkinson who is the Trust’s Data Protection Officer:

[dataprotection@transformtrust.co.uk](mailto:dataprotection@transformtrust.co.uk)

### The personal data we hold

From the point at which your child joins our school to when they leave, we will gather, use and process information about your child for various purposes. The information we hold is known as ‘personal’ or ‘special’ category data. The table below tells you what we hold.

We get this information from you, from you directly, from your child, from teachers and other staff, and from other people and organisations like doctors, and we may need to continue to hold some information about you even after you have left the school.

Personal Data	Special Data
Name	Racial or Ethnic Origin
Address	Religious Beliefs

Telephone numbers (up to 3 in the event of an emergency)	Special Educational Needs and Disability information (including needs and ranking)
Contact Email	Medical and health information we need to be aware of including physical and mental health (such as doctors, child health, dental health, allergies, medication and dietary requirements)
Date of Birth	Dietary information
Nationality	Safeguarding and child protection information (such as court orders and professional involvement)
Identification documents	Sexual Orientation
Country of Birth	Details of any support received including care packages, plans and support providers.
Language(s)	
Unique Pupil Number	
Details of previous/future schools	
Eligibility for free school meals	
Images: Photographs, video footage and CCTV images captured in school or on the school site for school publications including social media and/or for safeguarding/security processes	
Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)	
Behaviour information (such as suspensions and exclusions and any relevant alternative provision and results)	
Assessment and attainment information (such as EYFS, Phonics, KS2 statutory assessments and other in-school progress data)	
Information of children attending school trips and residential	

We may also hold data about your child that we have received from other organisations, including other schools, health authorities and social services.

## Why we use this data

We use your information for lots of reasons and some of which are required in order for our schools to fulfil their official functions and meet legal requirement, or because we need to so that we can run the school. We collect and use information for the following:

- a. to support pupil learning
- b. to monitor and report on pupil attainment and progress
- c. to provide appropriate pastoral care
- d. to protect pupil welfare
- e. to administer admissions and waiting lists
- f. to assess the quality of our services
- g. to keep children safe (food allergies, or emergency contact details)
- h. to meet the statutory duties placed upon us for Department for Education (DfE) data collections
- i. the purposes of educational research
- j. comply with the law regarding data sharing
- k. photo and video images

## Our lawful basis for using this data

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

- for the purposes of (a), (b), (c), (d) and (e) in accordance with the legal basis of 'Public Task': collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function
- for the purposes of (g) in accordance with the legal basis of Vital Interests: to keep children safe (food allergies, or medical conditions)
- for the purposes of (i) in accordance with the 'Legitimate Interests' basis – where there is a minimal privacy impact and we have a compelling reason – educational research
- for the purposes of (f), (h) and (j) in accordance with the legal basis of Legal Obligation: data collected for DfE census information
  - Section 537A of the Education Act 1996
  - the Education Act 1996 s29(3)
  - the Education (School Performance Information) (England) Regulations 2007
  - regulations 5 and 8 School Information (England) Regulations 2008
  - the Education (Pupil Registration) (England) (Amendment) Regulations 2013

## Our lawful basis for using special category data

For 'special category' data, 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 child's personal data in a certain way.

- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law.
- We need to protect an individual's vital interests (i.e protect your child's 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 manifestly public by you.
- We need to process it for the establishment, exercise or defence of legal claims.
- We need to process it for reasons of substantial public interest as defined in legislation.
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law.
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing 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 child's 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 manifestly public by you.
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights.
- We need to process it for reasons of substantial public interest as defined in legislation.

### **Collecting your information**

Whilst the majority of information we collect about your child is mandatory, there is some information that can be provided to us voluntary. 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 information to us or if you have a choice in this.

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

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals
- External providers who deliver activities on behalf of the school

## Use of your child's personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

## How we store this data

We keep personal information about your child while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary. Our information register sets out how long we keep information about pupils.

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

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

## Sharing your information

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

- The school that your child attends after leaving us.
- The local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about suspensions/exclusions.
- Government departments and agencies.
- Health authorities – school nursing service.
- Our regulators – Ofsted and for our Faith Schools SIAMs/AMS (faith inspection agencies).
- Counselling services – behavioural, safeguarding and special educational needs/disability.
- Survey and research organisations (reputable institutions).
- Financial organisations.
- Security organisations.
- Health and social welfare organisations.
- Professional advisers and consultants.
- External providers for before, after or school holiday clubs (sports coaches etc).
- Peripatetic agencies such as music tuition.
- Charities and voluntary organisations.
- Police forces, courts, tribunals.
- Catering teams – for medical information.
- Suppliers and service providers including: payroll; catering; supply staff.
- Third parties for data management information systems such as safeguarding, admissions, attendance, behaviour, progress and attainment data) and where there is a data information sharing agreement in place.

## 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 for Education 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 NPD with third parties, such as other organisations which promote children's education or wellbeing in England. These third parties must agree to strict terms and conditions about how they will use the data.

For more information, see the Department for Education's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

## Transferring data internationally

We may share personal information about your child with the following international third parties, where different data protection legislation applies:

- Other schools or educational establishments.
- Government departments or agencies.
- Security organisations.
- App or cloud server providers.

Where we transfer your child's 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.

## How to access personal information that we hold about your child

You have a right to make a 'subject access request' to gain access to personal information that we hold about your child. You may also have the right for your child's personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact your school's Data Controller.

### **Your right to access your child's educational record**

Parents, or those with parental responsibility, can request a copy of their child's educational record (which includes most information about a pupil). This right applies as long as the pupil is aged under 18. Any such request should be made to the Data Controller at the school.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

### **Your other rights regarding your child's data**

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

- Object to our use of your child's personal data.
- Prevent your child's data being used to send direct marketing.
- Object to and challenge the use of your child's personal data for decisions being taken by automated means (by a computer or machine, rather than by a person).
- In certain circumstances, have inaccurate personal data corrected.
- In certain circumstances, have the personal data we hold about your child deleted or destroyed, or restrict its processing.
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your child's personal data for a specific purpose.
- In certain circumstances, be notified of a data breach.
- Make a complaint to the Information Commissioner's Office.
- Claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights, please contact us (see 'contact us' below).

### **Department for Education (DfE)**

We are required to share information about you with the Department for Education (DfE) either directly or via our local authority for the purpose of data collections, under:

- Section 537A of the Education Act 1996
- the Education Act 1996 s29(3)
- the Education (School Performance Information) (England) Regulations 2007
- regulations 5 and 8 School Information (England) Regulations 2008
- the Education (Pupil Registration) (England) (Amendment) 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.

### **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)**

The NPD is owned and managed by the Department for Education (DfE) and contains information about pupils in schools in England. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The data in the NPD is provided as part of the operation of the education system and is used for research and statistical purposes to improve, and promote, the education and well-being of children in England.

The evidence and data provide DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education.

To find out more about the NPD, go to:

<https://www.gov.uk/government/publications/national-pupil-database-npd-privacy-notice/national-pupil-database-npd-privacy-notice>

## Sharing by the Department for Education (DfE)

DfE will only share pupils' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, 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 UK GDPR, 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>

or

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

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

## Complaints

We take any complaints about our collect 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.

If you are concerned about how we are using your personal data, you should raise your concern with the Headteacher in the first instance or directly to the Information Commissioner's Office: <https://ico.org.uk/make-a-complaint/>

## Contact

If you would like to discuss anything in this privacy notice, please contact: your Headteacher or Jill Wilkinson, Data Protection Officer for Transform Trust (Unit 11, Castlebridge Office Village, Kirtley Drive, Nottingham, NG7 1LD). Telephone: 0115 9825090 or email: [dataprotection@transformtrust.co.uk](mailto:dataprotection@transformtrust.co.uk)