Privacy Notice: Pupils & Parents

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1. Introduction

1.1. This privacy notice describes how we collect and use personal information about pupils, in accordance with the UK General Data Protection Regulation (UK GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

1.2. Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

2. Who Collects This Information?

2.1. The Warwickshire Academy is a "data controller." This means that we are responsible for deciding how we hold and use personal information about pupils and parents.

2.2. Under data protection legislation we are required to notify you of the information contained in this privacy notice. This notice does not form part of any contract of employment or other contract to provide services and we may update this notice at any time.

2.3. It is important that you read this notice, together with any other policies mentioned within this privacy notice. This will assist you with understanding how we process your information and the procedures we take to protect your personal data.

3. Data Protection Principles

3.1. We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

4. Categories of Pupil Information We Collect, Process, Hold and Share

We may collect, store and use the following categories of personal information about you:

- 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);
- Performance and assessment information;
- Behavioural information (including exclusions);
- Special educational needs information;
- Relevant medical information;
- Special categories of personal data (including ethnicity, relevant medical information, special educational needs 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;
- Financial details
- Post 16 learning information
- Recordings of pupils and/or parents from the school's video conferencing platform

5. Collecting this Information

5.1. Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. 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.

5.2. 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.

6. How We Use Your Personal Information

We hold pupil data and use it for:

- Pupil selection (and to confirm the identity of prospective pupils and their parents);
- 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;

- Safeguarding pupils' welfare and providing appropriate pastoral (and where necessary medical) care;
- Support teaching and learning;
- Giving and receive 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.
- To provide support to pupils after they leave the school

7. The Lawful Bases 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 3 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.

8. Sharing Data

8.1. We may need to share your data with third parties where it is necessary. There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it's the only way, we can make sure you stay safe and healthy, or we are legally required to do so.

We share pupil information with:

- the Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013;
- Ofsted;
- Other Schools that pupils have attended/will attend;
- NHS;
- Welfare services (such as social services);
- Law enforcement officials such as police, HMRC;
- Local Authority Designated Officer;
- Professional advisors such as lawyers and consultants;
- Support services (including insurance, IT support, information security);
- Education transport – for education and safeguarding
- Providers of learning software such as [e.g., Timetables Rockstar, Edukey] and

- The Local Authority.
- Youth support services – under section 507B of the Education Act 1996, to enable them to provide information regarding training and careers as part of the education or training of 13–19-year-olds
- Other schools within the Trust

8.2. Recently the Department for Education have requested more regular data sharing on pupil attendance to help support those vulnerable and to assist with intervention strategies. Further information on how the Department for Education collects this data will be made available on the school website.

8.3. Information will be provided to those agencies securely or anonymised where possible.

8.4. The recipient of the information will be bound by confidentiality obligations, we require them to respect the security of your data and to treat it in accordance with the law.

8.5. We may transfer your personal information outside the UK and the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

8.6. We do not share information about our pupils with anyone without consent unless otherwise required by law.

9. Why we Share this Information

9.1. For example, we share students' data with the DfE on a statutory basis which underpins school funding and educational attainment. To find out more about the data collection requirements placed on us by the DfE please go to https://www.gov.uk/education/data-collection-and-censuses-for-schools.

10. Storing Pupil Data

10.1. The school keep information about pupils on computer systems and sometimes on paper.

10.2. 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.

10.3. Full details on how long we keep personal data for is set out in our data retention policy, this can be found on our website.

11. Automated Decision Making

11.1. Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision making in limited circumstances.

11.2. Pupils will not be subject to automated decision-making, unless we have a lawful basis for doing so and we have notified you.

12. Retention Periods

12.1. Except as otherwise permitted or required by applicable law or regulation, the school only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

12.2. Information about how we retain information can be found in our Data Retention policy. This document can be found on our website.

13. Security

13.1. We have put in place measures to protect the security of your information (i.e., against it being accidentally lost, used, or accessed in an unauthorised way).

14. Youth Support Services

Pupils aged 13+

14.1. 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.

14.2. We must provide the pupils 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

14.3. 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.

15. Pupils aged 16+

15.1. 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

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

16. The National Pupil Database

16.1. 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.

16.2. 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.

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

16.4. 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

16.5. 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

16.6. 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.

16.7. 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

16.8. 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

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

16.10. 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, complete the subject access request on our website.

17. Requesting Access to your Personal Data

17.1. 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.

17.2. If you want to request information, please see our Subject Access Request policy, for the procedures we take.

18. Right to Withdraw Consent

18.1. 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 contact Zoe Allcott: z.allcott@thrive.ac 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.

19. Contact

19.1. 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 raise your concern with Zoe Allcott: z.allcott@thrive.ac in the first instance.

19.2. 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 resolve by Zoe Allcott, then you can contact the DPO on the details below:

Data Protection Officer:	Judicium Consulting Limited
Address:	5th Floor, 98 Theobalds Road, London, WC1X 8WB
Email:	dataservices@judicium.com
Web:	www.judiciumeducation.co.uk
Lead Contact:	Craig Stilwell

19.3. 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.

20. Changes to this Privacy Notice

20.1. We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

21. Changes

Description	Date	Page	Section