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| Hambleton Primary Academy  2023-2024 |  | Privacy Notice Policy |

PRIVACY NOTICE FOR PUPILS

Introduction

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we

hold about them. We comply with this right by providing ‘privacy notices’ (sometimes called ‘fair processing notices’) to

individuals where we are processing their personal data.

This Privacy Notice explains how we collect, store and use personal data about pupils.

We, Fylde Coast Academy Trust and your school, are the ‘data controller’ for the purposes of data protection law.

Our Data Protection Officer is Mr P Montgomery (see ‘Contact us’ below).

The personal data we hold

We hold some personal information about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too – like other schools, the local council

and the government.

This information includes:

●Your contact details

●Your test results

●Your attendance records

●Your characteristics, like your ethnic background or any special educational needs

●Any medical conditions you have

●Details of any behaviour issues or exclusions

●Photographs

●CCTV images

Why we use this data

We use this data to help run the school, including to:

●Get in touch with you and your parents when we need to

●Check how you’re doing in exams and work out whether you or your teachers need any extra help

●Track how well the school as a whole is performing

●Look after your wellbeing

Our legal basis for using this data

We will only collect and use your information when the law allows us to. Most often, we will use your information

where:

●We need to comply with a legal obligation

●We need it to perform an official task in the public interest (in order to provide you with an education)

Sometimes, we may also use your personal information where:

●You, or your parents/carers have given us permission to use it in a certain way

●We need to protect your interests (or someone else’s interest)

Where we have got permission to use your data, you or your parents/carers may withdraw this at any time. We will

make this clear when we ask for permission, and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds

which mean we can use your data.

Collecting this information

While in most cases you, or your parents/carers, must provide the personal information we need to collect, there are

some occasions when you can choose whether or not to provide the data.

We will always tell you if it’s optional. If you must provide the data, we will explain what might happen if you don’t.

How we store this data

We will keep personal information about you while you are a pupil at our school. We may also keep it after you have left

the school, where we are required to by law.

A copy of our Data and Information Management Policy may be requested from our Data Protection Officer (see

‘Contact Us’ below).

Data Sharing

We do not share personal information about you with anyone outside 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:

●Blackpool Council and Lancashire County Council – to meet our legal duties to share certain information with

it, such as concerns about pupils’ safety and exclusions

●The Department for Education (a government department)

●Fylde Coast Academy Trust (FCAT)

●Your family and representatives

●Educators and examining bodies

●Suppliers and service providers – to enable them to provide the service we have contracted them for

●Health authorities

●Health and social welfare organisations

National Pupil Database

We are required to provide information about you to the Department for Education (a government department) as part

of data collections such as the school census. Some of this information is then stored in the National Pupil Database,

which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn,

supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected

securely from schools, local authorities, exam boards and others.

The Department for Education may share information from the database with other organisations which promote

children’s education or wellbeing in England. These organisations must agree to strict terms and conditions about how

they will use your data.

You can find more information about this on the Department for Education’s webpage on how it collects and shares

research data. You can also contact the Department for Education if you have any questions about the database.

Youth support services

Once you reach the age of 13, we are legally required to pass on certain information about you to Lancashire County Council asit has legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers

advisers. Your parents/carers (or you once you’re 16) can contact our Data Protection Officer to ask us to only pass

your name, address and date of birth to Blackpool Council.

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 the Government uses your data’

section.

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in

accordance with data protection law.

Your rights regarding personal data

You can find out if we hold any personal information about you, and how we use it, by making a ‘subject access

request’, as long as we judge that you can properly understand your rights and what they mean.

You have other rights over how your personal data is used and kept safe, including the right to:

●Say that you don’t want it to be used if this would cause, or is causing, harm or distress

●Stop it being used to send you marketing materials

●Say that you don’t want it used to make automated decisions (decisions made by a computer or machine,

rather than by a person)

●Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it

Complaints

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you

think we’ve done something wrong at any time by contacting our Data Protection Officer.

You can also complain to the Information Commissioner’s Office in one of the following ways:

●Report a concern online at https://ico.org.uk/concerns/

●Call 0303 123 1113

●Or write to: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

PRIVACY NOTICE FOR PARENTS & CARERS

Introduction

Under data protection law, individuals have a right to be informed about how the school uses any personal

data that we hold about them. We comply with this right by providing ‘privacy notices’ (sometimes called

‘fair processing notices’) to individuals where we are processing their personal data.

This Privacy Notice explains how we collect, store and use personal data about pupils.

We, Fylde Coast Academy Trust, are the ‘data controller’ for the purposes of data protection law.

Our Data Protection Officer is Mr P Montgomery (see ‘Contact us’ below).

The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not

restricted to:

● Contact details, contact preferences, date of birth, identification documents

● Results of internal assessments and externally set tests

● Pupil and curricular records

● Characteristics, such as ethnic background, eligibility for free school meals, or special educational

needs

● Behavioural and exclusion information

● Details of any medical conditions, including physical and mental health

● Attendance information

● Safeguarding information

● Details of any support received, including care packages, plans and support providers

● Photographs

● CCTV images captured in school

We may also hold data about pupils that we have received from other organisations, including other schools,

local authorities and the Department for Education.

Why we use this data

We use this data to:

● Support pupil learning

● Monitor and report on pupil attainment and progress

● Provide appropriate pastoral care

● Protect pupil welfare

● Assess the quality of our services

● Administer admissions waiting lists

● Carry out research

● Comply with the law regarding data sharing

● Meet the statutory duties placed upon us for DfE data collections

Our legal basis for using this data

Our legal basis for using this data

We only collect and use pupils’ personal data when the law allows us to. Most commonly, we process it

where:

● We need to comply with a legal obligation

● We need it to perform an official task in the public interest. Less commonly, we may also process pupils’ personal data in situations where:

● We have obtained consent to use it in a certain way

● We need to protect the individual’s vital interests (or someone else’s interests)

Under the General Data Protection Regulation (GDPR), the main lawful bases we rely for processing

information will be:

Article 6(1)(a)

the data subject has given consent to the processing of his or her personal data for one or

more specific purposes;

Article 6(1)(c)

processing is necessary for compliance with a legal obligation to which the controller is

subject;

Article 6(1)(d)

processing is necessary in order to protect the vital interests of the data subject or of another natural person; or

Article 6(1)(e)

processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

In addition, we process special categories of personal data under UK GDPR Article 9. We have an

Appropriate Policy Document in place, setting out and explaining our procedures for securing compliance

with the principles in Article 5 and policies regarding the retention and erasure of such personal data.

Article 9(2)(b) where processing is necessary to comply with employment law, for example where we are:

●checking if individuals are entitled to work in the UK;

●ensuring health, safety and welfare of employees;

●maintaining records of statutory sick pay and maternity pay; or

●deducting trade union subscriptions from payroll. Article 9(2)(c) where processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent. This condition for processing is likely to be most relevant for emergency medical care, when we need to process personal data for medical purposes but the student or member of staff is unconscious or otherwise incapable of giving consent. Article 9(2)(g) where processing is necessary for reasons of substantial public interest . This is likely to include the following conditions as set out in paragraphs 6 to 28 of Schedule 1 of the DPA 2018: 6. Statutory and government purposes 8. Equality of opportunity or treatment 18. Safeguarding of children and individuals at risk Article 9(2)(h) where the processing is necessary for health or social care purposes, for example in relation to students and staff with medical conditions or disabilities; Article 9(2)(i) where the processing is necessary for reasons of public interest in the area of public health.

This condition for processing is likely to be most relevant for sharing data about our staff or students with

the NHS and associated public health bodies in the case of an epidemic or pandemic. Article 9(2)(a)

where the data subject has given explicit consent to the processing of those personal data for one or more specified purposes where none of the above apply. In circumstances where we seek consent, we make sure that the consent is unambiguous and for one or more specified purposes, is given by an affirmative action and is recorded as the condition for processing. Where we use biometric data such as fingerprints for cashless catering we rely on gaining explicit consent from the data subject or their parent/carer before using this data.

Collecting this information

We collect pupil information via our admissions processes, data collection forms, Common Transfer File

(CTF) and secure file transfer from previous schools. Pupil data is essential for the schools’ operational use. While the majority of information you provide and we collect is mandatory, some of it is requested on a voluntary basis.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is

mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying. When we ask for ethnicity (requested by the DfE for statutory census returns) we make it clear that providing it is optional and by providing it the data subject (or their parent/carer) is consenting for it to be shared with the DfE.

How we store this data

We keep personal information about pupils while they are attending our school. We may also keep it beyond

their attendance at our school if this is necessary in order to comply with our legal obligations. Our Data and

Information Management Policy sets out how long we keep information about pupils.

A copy of our Data and Information Management Policy may be requested from our Data Protection Officer

(see ‘Contact Us’ below).

Data sharing

We do not share information about pupils with any third party without consent unless the law and our

policies allow us to do so. Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

● Our Local Authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions

● The Department for Education (DfE)

● Fylde Coast Academy Trust (FCAT)

● The pupil’s family and representatives

● Educators and examining bodies

● Suppliers and service providers – to enable them to provide the service we have contracted them for

● Health authorities

● Health and social welfare organisations

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. Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the Department 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 other organisations which promote children’s education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data. For more information, see the Department’s web page on how it collects and shares research data. You can also contact the Department for Education with any further questions about the NPD.

Youth support services

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to

Lancashire County Council as it has legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables it to provide youth support services, post-16 education and training services, and

careers advisers. Parents/carers, or pupils once aged 16 or over, can contact our data protection officer to request that we only pass the individual’s name, address and date of birth to Lancashire County Council.

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 the Government uses your data’ section.

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so

in accordance with data protection law.

Parents and pupils’ rights regarding personal data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept

safe.Parents and pupils’ have a right to make a ‘subject access request’ to gain access to personal information

that the school holds about them.

Parents and pupils also have the right to:

●Object to the use of personal data if it would cause, or is causing, damage or distress

●Prevent it being used to send direct marketing

●Object to decisions being taken by automated means (by a computer or machine, rather than by a

person)

●In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict

processing

To exercise any of these rights, please contact our data protection officer.

Complaints

We take any complaints about our collection 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 by contacting our Data

Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner’s Office:

●Report a concern online at https://ico.org.uk/concerns/

●Call 0303 123 1113

●Or write to: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9

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Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy

notice, please contact our

Data Protection Officer:

Mr P Montgomery

Data Protection Officer

FCAT Central Office,

Armfield Academy,

488 Lytham Road,

Blackpool, FY4 1JF

01253 207709

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