

## **Privacy Notice for Pupils (also provided to Parents and Carers)**

**This is about how we use information about you and what we do with it. We call this information about you ‘personal data’ or ‘personal information.’ If there is anything you do not understand please ask for clarification.**

### **Who we are**

You already know that your school is called Highfield Ely Academy and that it is part of the Academy Trust called the Active Learning Trust but we have to tell you that the Academy Trust is the organisation which is in charge of your personal information. This means the Academy Trust is called the Data Controller.

The postal address of the Academy Trust is:

The Active Learning Trust  
c/o Littleport and East Cambs Academy  
Camel Road  
Littleport  
Cambridgeshire  
CB6 1EW

If you want to contact us about your personal information you can contact the Head of School - ask for them at the School Office or leave them a letter at reception or send one by post. You can also contact the Active Learning Trust’s Data Protection Officer by emailing her at [dataprotection@activelearningtrust.org](mailto:dataprotection@activelearningtrust.org).

### **The categories of pupil information that we process include:**

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Information about free school meal and pupil premium eligibility

- Information for catering management purposes (e.g. whether you have school dinners and how often)

We will also use photographs of you. More details about this are in the Active Learning Trust's Use of Images Policy.

### **Why we collect and use pupil information**

Highfield Ely Academy collects and holds personal information relating to our pupils and may also receive information about them from their previous school, local authority and / or the Department for Education (DfE). We use this personal data to:

- support your learning
- monitor and report on your progress
- provide appropriate care for you
- assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to comply with the statutory duties placed on us by DfE data collections

For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.

The use of your information for these purposes is lawful for the following reasons:

- Highfield Ely Academy is under a legal obligation to collect the information or the information is necessary for us to meet legal requirements imposed upon us such as our duty to safeguard pupils.
- It is necessary for us to hold and use your information for the purposes of our functions in providing schooling and so we can look after our pupils. This is a function which is in the public interest because everybody needs to have an education. This means we have real and proper reasons to use your information.
- We will not usually need your consent to use your information. However, if at any time it appears to us that we would like to use your personal data in a way which means that we would need your parents/carers consent then we will explain to them what we want to do and ask your parents/carers for consent. This is most likely to be where we are involved in activities which are not really part of our job as an Academy Trust but we are involved because we think it would benefit our pupils.
- Where your parents/carers have provided us with consent to use your data, they may withdraw this consent at any time. We will make this clear when requesting their consent. If your parent/carer wish to change their mind about consent, they should contact the school office.

If we think that you will not understand what we are asking then we will ask your parent or carer instead. Usually, we will involve your parents or carers even if you can make your own decision.

## **How we collect pupil information**

When we collect personal information on our forms, we will make it clear whether there is a legal requirement for you / your parents to provide it, whether there is a legal requirement on the school / academy trust to collect it. If there is no legal requirement then we will explain why we need it and what the consequences are if it is not provided.

We will also obtain information from your previous school, usually via secure file transfer from your previous school.

## **When we give your information to others**

Once our pupils reach the age of 13, the law requires us to pass on certain information to Cambridgeshire County Council who have responsibilities in relation to the education or training of 13-19 year olds. We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers in order to secure appropriate services for them. A parent / guardian can request that **only** their child's name, address and date of birth be passed to Cambridgeshire County Council by informing the school's office and data manager. This right is transferred to the child once he / she reaches the age 16. For more information about services for young people, please go to our local authority website - <https://www.cambridgeshire.gov.uk/residents/children-and-families/>

Careers guidance – we pass information onto Cambridgeshire County Council for destination tracking purposes and to UCAS Progress so that students can apply for further education.

We will not give information about our pupils to anyone without your consent unless the law and our policies allow us to do so. If you want to receive a copy of the information about you that we hold, please contact the Head of School.

We are required, by law (under regulation 5 of the Education (Information about Individual Pupils) England Regulations 2013, to pass some information about our pupils to the Department for Education (DfE). This is the part of the Government which is responsible for schools. This information may, in turn, then be made available for use by the Local Authority.

The DfE may also share information about pupils that we give to them, with other people or organisations. This will only take place where the law, including the law about data protection allows it.

### **The National Pupil Database (NPD)**

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.

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.

To find out more about the pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to [National pupil database: user guide and supporting information - GOV.UK](#).

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

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

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.

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>

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>

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

We will also normally give information about you to your parents or your main carer. Where appropriate, we will listen to your views first. We will also take family circumstances into account, in particular where a Court has decided what information a parent is allowed to have.

We will also disclose your personal data to:

- Your new school if you move schools
- Disclosures connected with SEN support – e.g. non-Local Authority professionals
- School nurse
- School Counsellor
- CAMHS (Child and Adolescent Mental Health Service)
- Educators and Examining Bodies
- The Department for Education
- Our Local Authority – Cambridgeshire County Council
- NHS
- NHS/Public Health Agencies where relevant to the COVID pandemic as part of the Test and Trace Scheme.
- Police, Fire and Rescue Service, Ambulance Service and other emergency or enforcement agencies
- Active Learning Trust
- The school's curriculum may require the use of third party web-based learning and

assessment platforms, only if GDPR compliant

- Suppliers and Service Providers to enable them to provide the service the School/Trust has contracted them for.
- Any appropriate Education Authority if you move schools
- Trainee teachers and agency cover staff who are not employed by the Trust and may work in our school
- School meal providers where relevant allergy information is vital

The information disclosed to the above people / services may include sensitive personal information about you. Usually this means information about your health and any special educational needs or disabilities which you have. We do this because these people need the information so that they can support you.

- The Public (only your name and where consent has been received your photo) in our School's use of social media.
- Photos to Funders to provide evidence how we have spent grant monies.

Our disclosure of your personal data is lawful for the following reasons:

- Highfield Ely Academy is under a legal obligation to disclose the information or disclosing the information is necessary for us to meet legal requirements imposed upon us such as our duty to look after our pupils and protect them from harm.
- It is necessary for us to disclose your information for the purposes of our functions in providing schooling. This is a function which is in the public interest.
- There is a substantial public interest in disclosing your information because it is necessary to keep our pupils safe from harm.
- We may not need consent to disclose your information. However, if at any time it appears to us that we would need consent then we will ask before a disclosure is made.

It is in your interests for your personal information to be passed to these people or services. If we need consent to pass on your information, we will ask you for consent once we think that you can understand what we are asking. This is because the law requires us to ask you if you can understand. Normally, we involve your parents too. By law we won't need their consent if you can give it but parents like to be involved because it is part of looking after you. Before you are old enough to understand we will ask your parents to consent for you.

Some of our external third party service providers are based outside the European Economic Area (EEA), or are global organisations, so their processing of your personal data will involve a transfer of data outside the EEA. These include, but are not limited to:

- Class Twist, Inc. which provides Class Dojo (Class Twist, Inc. is based in the U.S.); and
- 3P Learning Ltd which provides 3P Learning (Mathletics) (3P Learning's servers are based in the East US 2 region within Microsoft Azure).

We may also transfer your personal data outside the EEA if one of your parents or carers lives abroad or if you move to a new school abroad. If this happens we will be very careful to make sure that it is safe to transfer your information in advance.

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.
- Where we use providers based in the US, we may transfer data to them if they are part of the EU-U.S. Privacy Shield which requires them to provide similar protection to personal data shared between Europe and the US (for more information, and to review organisations which have been certified (such as Class Twist, Inc.) you can visit the Privacy Shield Website here - <https://www.privacyshield.gov/welcome>).

## **How long we keep your information**

We only keep your information for as long as we need to or for as long as the law requires us to. Most of the information we have about you will be in your pupil file. We usually keep this information until your 25<sup>th</sup> birthday unless you move to another school in which case we send your file to your new school. The Active Learning Trust has a policy which explains how long we keep information. It is called a Records Retention Policy and you can ask for a copy at reception.

## **Your rights**

### **You have these rights:**

- You can ask us for a copy of the information we have about you
- You can ask us to correct any information we have about you if you think it is wrong
- You can ask us to erase information about you (although we may have good reasons why we cannot do this)
- You can ask us to limit what we are doing with your information
- You can object to what we are doing with your information
- You can ask us to transfer your information to another organisation in a format that makes it easy for them to use.

There is more information in the Active Learning Trust's Data Protection Policy or you can ask the Active Learning Trust's Data Protection Officer. The Data Protection Policy can be found on the Active Learning Trust's website or you can ask for a copy at your school's reception.

You can complain about what we do with your personal information. If you are not happy with our answer to your complaint then you can complain to the Information Commissioner's Office:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.