

## **1. Privacy notice for parents/carers**

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, The Enquire Learning Trust, 18 Appleton Court, Wakefield WF2 7AR and our academies \*see appendix 1 are the 'data controller' for the purposes of data protection law.

Our data protection officer is Mrs Liz Thompson

### **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
- 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

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 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

### **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)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

### **Collecting this information**

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

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.

### **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 record retention schedule sets out how long we keep information about pupils.

As a Trust we have agreed to adopt the Information and Records Management Society toolkit for schools a copy can be found on the Trust website, IRMS website and is available on request in all school offices.

[www.enquirelearningtrust.org/keyinformation](http://www.enquirelearningtrust.org/keyinformation)

[\*Information and Records Management Society's toolkit for schools\*](#)

### **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 duties to share certain information with it, such as concerns about pupils' safety and exclusions*
- *The Department for Education (a government department) - to share pupil information in census and for the purposes of national testing*
- *Your family and representatives – to ensure that we are kept up to date with information and data that affects your child for example, change of address, medical or allergy information etc*
- *Educators and examining bodies - DfE, NfER etc, to ensure that children are submitted for their end of key stage testing*

- *Our regulator the Enquire Learning that supervises us and Ofsted – to meet our legal duties to share certain information with, such as progress data, work, topic / exercise books*
- *Suppliers and service providers – so that they can provide the services we have contracted them for*
- *Financial organisations – parent pay for allocating the payments to the correct children*
- *Central and local government - to ensure accurate census data is held for pupils*
- *Survey and research organisations - an example would be the Education Endowment Foundation. They are a highly regarded educational research organisation that schools and academies work with to try out the latest and best educational interventions and teaching approaches*
- *Health authorities - to ensure that medical and health information is shared such as height and weight checks in Foundation Stage and Year 6*
- *Security organisations - this includes online security organisations such as FutureCloud that monitor pupil and staff activity on devices on the academy servers*
- *Health and social welfare organisations - to ensure close working relationships with organisations such as social services and NSPCC with the aim of safeguarding all pupils*
- *Professional advisers and consultants - An example would be PiXL (Primary in Excellence) an innovative approach to ensuring excellent pupil outcomes and wellbeing predominantly used in Year 6. Pupil's test analysis is stored and analysed, and personalised plans called therapies are created.*
- *Charities and voluntary organisations. Many academies participate in sponsored events in school and sponsor forms or details of their donations are shared with the charity*
- *Police forces, courts, tribunals - when necessary, information is shared with these agencies during ongoing investigations*
- *Professional bodies - Academies often work with professional bodies such as Educational Psychologists, specialist advisory services and therapy groups to ensure a bespoke provision for every child that meets their unique needs.*

### **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 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**

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

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

Parents/carers also have a legal right to access to their child's **educational record**. To request access, please contact the school office.

All requests must be made on the Trust Subject Access request Template which is available on the Trust website ( [www.enquirelearningtrust.org](http://www.enquirelearningtrust.org) ) or is available in hard copy at the school office.

Proof of identity will be required when making a request and all requests will be responded to within 30 working days.

## Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including 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
- Claim compensation for damages caused by a breach of the data protection regulations

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.

To make a complaint, please contact 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 5AF

**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**:

Mrs Liz Thompson, 18 Appleton Court, Wakefield

[Liz.thompson@enquirelearningtrust.org](mailto:Liz.thompson@enquirelearningtrust.org)

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