



# PRIVACY NOTICES FOR STUDENTS

Endeavour Learning Trust

## 1. INTRODUCTION

A law exists that keeps your information safe – things like your address, date of birth and phone number. The school and other people collect and use information for all kinds of reasons, and the law tells them exactly what they are allowed to do with yours.

For the purposes of this document ‘we’ means Burscough Priory Academy, Tarleton Academy, Northbrook Primary Academy, Ormskirk School and Wellfield Academy.

We collect some information about our students and it’s our job to tell you how we will collect the information, how we will record it and how we will use it.

In this notice, you will see different names or terms used that you may not be familiar with, such as:

**Data Controller:** This person (or group of people, like a school) is in charge of the information we collect.

**Data Processor:** This person processes information for the data controller.

**Data Protection Officer (DPO):** This person makes sure we do everything the law says.

**Personal Data:** This means any information that can be used to identify someone, such as your address and date of birth.

The categories of student information and data that we collect, hold and share include but is not restricted to:

- Personal information (such as name, unique pupil number and address, parental responsibility)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Fingertip scan for an automated biometric recognition system
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information and attainment (e.g. post 16 courses enrolled for, results and student research surveys)
- Medical conditions (we keep information about any times you’ve been ill and any special conditions you have that we need to know about to keep you safe).
- Special Educational Needs and Disability (we collect information that helps us teach you better, such as any special educational needs you may have).
- Behaviour and exclusions
- Free School meals information and management

- Photographs (using photographs of you counts as processing your personal data. Before we take or use any photographs we will ask you and a parent to give permission for us to take and use pictures of you. We might use your pictures on display boards, on social media, publicity handouts or on the school's website, for example.

We may also hold data about students that we have received from other organisations, including other schools, local authorities and the Department for Education.

## **2. WHY WE COLLECT AND USE THIS INFORMATION**

We use student data:

- to support student teaching and learning
- to monitor and report on your progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to meet the statutory duties placed upon us by the Department for Education
- to safeguard students (e.g. food allergies or emergency contact details)
- help and improve your health and wellbeing,
- assess how well your school is doing
- to support the Immunisation Programme
- in the Management Information System
- for marketing, website and social media purposes
- for photographic displays
- to manage student's medicines on school premises
- for the cashless catering system and online payments
- to manage the CCTV process
- to produce and publish school production and concert programmes and Awards Evening programmes
- to participate in educational research projects and programmes
- to comply with the Department for Education statutory guidance when carrying out our duties relating to independent careers guidance and provider access to schools.
- to arrange and hold virtual parent evenings.

Also, when a student transitions from primary school to secondary, the primary school has a legal obligation to transfer certain personal data to us, including the Student's educational record and certain special categories of personal data (such as ethnic origin). This transfer takes place no later than 15 school days after the student ceases to be registered at the primary school and is carried out using secure file transfer services including the Department for Education's school-to-school (S2S) system, and the Child

However, it is often necessary or beneficial for us to collect this information earlier, usually in March, so that we can make the necessary preparations for the arrival of new students.

In respect of any information which we require, at this early stage, in order to fulfil our duties as a school and a public authority (including any information necessary to make any preparations for safeguarding purposes or to make reasonable adjustments for disabilities), our legal basis for collecting this information is that it is necessary for the performance of a public task.

We may also collect additional personal data about the student, at this early stage, which is not strictly necessary for the performance of our duties as a public authority, but which makes the process of transitioning from primary to secondary school more efficient and reduces the administrative burden for both establishments and, in some case, the parents or guardians of the student. In this respect, our legal basis for collecting this information is that it is necessary for our legitimate interest in ensuring the smooth transition of students between the schools.

You have the right to object to this early collection of information by contacting us on 01772 817904 and, if you do, we will only collect information from the school at this stage where we can demonstrate that we have compelling, legitimate grounds to do so.

### **3. THE LAWFUL BASIS ON WHICH WE USE THIS INFORMATION**

In accordance with the Data protection Act 2018 (DPA) and the UK General Data Protection Regulation (UK GDPR). The condition for processing under UK GDPR will be:

#### Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:
  - (c) Processing is necessary for compliance with a legal obligation to which the controller is subject;

#### Article 9

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.
2. Paragraph 1 shall not apply if one of the following applies:
  - (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

## PRIVACY NOTICES FOR STUDENTS ENDEAVOUR LEARNING TRUST

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy (shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

### **4. COLLECTING STUDENT INFORMATION**

Student data is essential for the school's operational use. Whilst the majority of student information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the **UK** General Data Protection Regulation, we will inform you whether you are required to provide certain student information to us or if you have a choice in this. Student data is collected via various methods including but not restricted to the following:

- Data Collection Forms
- Common Transfer File
- Biometric Fingertip Scan
- Assessment and Examinations

We regularly take photographs/videos/webcam images of students whilst at school or away from the school site. To comply with the UK General Data Protection Regulation, a Parental Photographic and Video Consent Form is completed by both parents and students.

## **5. STORING STUDENT DATA**

Data will be retained in accordance with the ELT UK GDPR Compliant Records Management Policy.

## **6. WHO WE SHARE STUDENT INFORMATION WITH**

We routinely share student information with:

- schools or colleges that the students attend after leaving us
- local authorities
- the Department for Education (DfE)
- NHS /School Nurse/Virgin Care Services Ltd for the purposes of the School Health Needs Assessment (SHNA) and to improve the health and wellbeing of students
- IntraHealth Service Provider for the purposes of the student Immunisation Programme
- VeriCool and Biostore as part of the automated recognition system for the purposes of implementing the cashless catering system
- insurance companies for the purposes of Chromebook accidental damage insurance claims
- professional photography companies for the purposes of official school photographs
- ClassCharts
- travel companies for the purposes of booking, organising and managing educational visits and trips
- online applications and communities for teaching and educational purposes such as the eTwinning online community for schools in Europe
- CCTV system to address student safety, staff welfare, site security and to make evidence available to authorised investigatory bodies. The ELT CCTV Policy defines the roles and responsibilities, provides staff with clear guidance about their role whilst using the system and describes how data is stored and shared
- educational research projects and programmes where the appropriate consent has been obtained from the student and/or parent

- compass, an online self-evaluation tool for schools to use to assess how their careers support compares against the Gatsby Benchmarks and the national average. We use this tool to consider the opportunities to improve the careers programme and track progress against the Benchmarks over time
- Police, where data may be processed to enable them to perform a statutory function. This includes processing data to enable the Police to perform a task in the public interest, which is also a lawful basis for processing under Article 6 (1)(e)
- School Cloud for the purposes of arranging and holding virtual parents' evenings
- Board of Trustees where it is relevant to dealing with any escalation complaints from parents or students.

## **7. WHY WE SHARE STUDENT INFORMATION**

We do not share information about our students with anyone without consent unless the law and our policies allow us to do so.

We share student's data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We share student's data with the Police in order to perform a task in the public interest.

We are required to share information and data with local authorities

### **Maintained Schools**

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

### **Academies**

We are required to share information about our students with the (DfE) under regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013.

## **8. DATA COLLECTION REQUIREMENTS**

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

## 9. YOUTH SUPPORT SERVICES

### Students aged 13+

Once our students reach the age of 13, we also pass student 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.

This enables them to provide services as follows:

- youth support services
- careers advisers
- post 16 education and training providers

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.

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

## 10. THE NATIONAL PUPIL DATABASE (NPD)

The NPD is owned and managed by the Department for Education and contains information about students 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 students 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 NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our students 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 student 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 student 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>

## **11. REQUESTING ACCESS TO YOUR PERSONAL DATA**

Under data protection legislation, parents and students 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 educational record, contact the DPO.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of data protection law.

If you have a concern about the way we are collecting or using your personal data, please raise your concern with Endeavour Learning Trust. If your concerns are not dealt with to your satisfaction you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

**12. FOUR IMPORTANT THINGS TO UNDERSTAND AND WHO TO CONTACT**

Now you’ve read this, we hope you understand that:

- The law allows us to get and use your information to help us do our job
- we may share your information with others, but only when we really need to
- we will ask for your permission to share your information whenever you have a choice
- you can tell us not to share your information, even when you have said yes before.

If you would like to discuss anything in this Privacy Notice, please contact Mr Keeffe, the DPO on 01772 817904 or via email at [enquiries@endeavourlearning.org](mailto:enquiries@endeavourlearning.org) .

**13. PRIVACY NOTICE REVIEW**

Signed by:			
Mrs D Clayton	Executive Headteacher	Date	June 2023
Mrs H Dicker	Chair of Trustees		