



## Data Privacy Notice for Students, Parents and Carers

Policy Lead:	<b>School Business Manager</b>
Last Review Date:	February 2024
Next Review Date:	February 2025
Approval needed by:	<b>Headteacher</b>

## **General Data Protection Regulation (GDPR) - Data Protection Act 2018**

The Learning Partnership is a data controller for the purposes of the Data Protection Act. We collect personal information from students, parents and carers. As such, we may receive information about students from their previous academy, local authority and/or the Department for Education (DfE).

The categories of student information that we collect, hold and share about students and parents include:

- Personal information (such as name, unique pupil number (UPN), unique learner number, address, academy system ID photographs and telephone number)
- Characteristics (such as ethnicity, language, nationality, country of birth and free academy meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Special Educational Needs information (such as EHCP reviews, information from specialist assessors and clinical specialists etc.)
- Other personal information including relevant medical information provided by students, parents/carers or others who support the wellbeing and education of students which it is necessary to share with the staff looking after a child to ensure their wellbeing and effective education
- Behaviour and achievement information (such as records of incidents, records of achievement awards logged by teachers)
- Assessment information (including the results of external and academy assessments)
- Records of tasks set for students and feedback given
- Any qualifications held (for older students)
- Information about course choices, career aspirations post-16
- Biometric information (CIVICA)

We use this student and parent information to:

- Support student learning
- Monitor and report on student attainment, progress and attendance
- Keep children safe regarding medical conditions or emergency contacts
- Provide appropriate pastoral care
- Assess the quality of our services
- Comply with the law regarding DfE data collections and data sharing

Any decision made about an individual student as a result of using this personal information will always involve a member of staff and never be solely automated. Under GDPR, the lawful bases for processing student information are:

- We use the data only in ways that are necessary for the education of your child and the normal functioning of the academy, and we design our systems to prevent unauthorised access and to manage access appropriately within the organisation.
- In some cases, we collect and use student information to protect the vital interests of students or staff (e.g. with the medical information we process).

### **Collecting Student and Parent Information**

The Trust will collect student information from previous schools, from the Local Authority (Cheshire East Council), from the DfE or from parents and carers during the admissions process. Much of this is mandatory but we will indicate on our data collection and data checking forms whether you are required to provide certain student information to us or if you have a choice in this.

### **Storing Student and Parent Information**

We hold student information for the set amount of time shown in our data retention schedule, which is available on

the Academy website, and in line with IRMS guidelines. We expect to retain most student information until an individual is 25 years of age. Data is normally archived or deleted securely unless we have received a specific request from an individual to delete data.

Each member of staff has received data protection training and the Trust will ensure that student data will be securely stored within:

- the academy's information management system (SIMS)
- Microsoft Office 365
- Lockable cabinets and offices

### **Cloud Services**

In common with most academy's, we use 'cloud-based' services for the storage and processing of some of the data we hold about students. In all cases, we remain the data controller and we ensure the services we use are compliant with legislative requirements.

### **Sharing Student Information**

We do not share information about our students with external organisations unless it is a legal requirement or we have appropriate consent from parents/carers. We may share student information with:

- other educational providers attended
- Cheshire East Local Authority & Children's & Families Service
- The Department for Education
- Emergency Services
- National Health Service

<sup>1</sup> *We are required under section 507B of the Education Act 1996 to pass some information about you to our Local Authority (LA) Youth Support Service for young people aged 13-19 years (25 years for students with a learning difficulty). We must provide the names and addresses of you and your parent(s), and any further information relevant to the support services' role. We may also share data with post-16 providers to secure appropriate support on entry to post-16 education and training. Parents, or students if aged 16 or over, can however ask that no information beyond names, addresses and your date of birth be passed to the support service. Please tell Student Services or the Systems Manager (contact details below) if you wish to opt out of this arrangement or if you want to receive a copy of the information that we hold about you.*

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

The NPD is owned and managed by the DfE and holds information about students in academy's in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the DfE. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources, including academy's, 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 academy 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 Students) (England) Regulations 2013.

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.

## **CIVICA**

CIVICA is accredited with ISO27001 – Information Security Management System and is committed to ensuring that privacy is protected. Should we ask you to provide certain information by which you can be identified; you can be assured that it will only be used in accordance with this privacy statement.

The processing of the data is carried out by the School/Catering Company under the General Data Protection Regulation (GDPR) and the Protection of Freedoms Act 2012

Schools’ data will remain their responsibility and they remain fully in control of accessing, managing and updating all student data within the system.

Schools and the local authority are operating as Data Controllers under the DPA.

All CIVICA Staff that may have administrator access to the school’s data for support purposes are Disclosure and Barring Service (DBS) checked.

Information collected to implement a Cashless Catering system is outlined below.

Essential information collected		Optional information may be requested
Admission Number	Gender	Photographs
Surname	Date of Birth	Ethnicity
Forename	Year	School House Group
Form	FSM Allowance	UPN

CIVICA does not sell, distribute or lease your personal information to third parties.

CIVICA do not hold any data on premises and all setup and configuration is done on the school/council location.

### **What is a biometric algorithm?**

The individual templates are encrypted using a 256 bit AES key that is built into the scanners hardware. Also the persisted file is encrypted using a different 256 bit AES key built into the matching algorithm supplied by Secugen and generated by a unique license purchased for each site. This is more secure than the ANSI and ISO standards that government department’s use as the Secugen Template is encrypted and the ANSI and ISO standards are not. The template data is useless and cannot be interpreted back into a usable fingerprint image. If this was not the case then there would be no world standards and performance measures for such technologies. The data is stored in an array in the RAM of the Biometric Controller and is also permanently stored on the hard drive of the Bio Controller to be restored in the event of a reboot.

Below is an example of a template code for an individual finger:

0X417741414142514141414445415141414151415341414D415A41414141414174774541414C714777346C58696  
56D6C574945494A764A6B42466D6837616C4E764D704F517874517A706A4A395A31784935686C4177395366726E7  
77645576357386C4573314B426F47443166694170675559704C763168423642682A7043

The solution is secure because the matching can only be done by the individual's consent as the finger has to be presented to the device for matching. We do not hold images of fingerprints in our system.

The technology provided for this method of identification meets with BECTA guidelines and also allows students the option to opt out of the scheme and use a PIN number instead.

Also under the data protection act the school or caterer (the originator of the data) cannot allow access to this data by anyone for any other means than for the purpose the data was collected and that is to identify an individual within the solution we supply. Any biometric data that belongs to an individual that leaves the school is purged which also is in line with the BECTA guidelines

### **Individual Rights to Access Personal Information**

Individuals have the right to access their data or educational record, to ask us to correct it where it is wrong and in certain circumstances ask us to delete the data or limit what we do with it. If you want to see what data we hold about you, you can make a subject access request by contacting the Data Protection Officer, or any other member of staff and explaining that you wish to see the data that the academy holds about you. We will then provide you with access to what information we hold about you in printed or electronic copies of the data where the law requires us to do this.

If you think that we are not processing your data fairly, correctly and legally then you have the right to complain. The following options are available to you:

1. Contact the Data Protection Officer, Annabel Perrin Aldous to discuss your concerns; most queries can be dealt with successfully in this way.
  - Email [businessmanager@theoaksacademy.co.uk](mailto:businessmanager@theoaksacademy.co.uk)
  - FAO Date Protection Officer  
The Oaks Academy  
Buchan Grove  
Crewe  
Cheshire  
CW2 7NQ
2. If you are not satisfied with the outcome, the Academy's complaints policy is published on our website.
3. You may also contact the Information Commissioner's Office which oversees the way we process data:  
<http://ico.org.uk/concerns/>