Privacy Notice - Pupils

Growing and Learning with the Guidance of God

With God at the heart of all we do, we aim to provide a loving and caring Catholic community, where everyone is precious. We nurture each other with kindness to create treasured memories and values that stay with us for life.

'You, Lord, are all I have and you give me all I need; my future is in your hands.' Psalm 16 Verse 5

Adopted by St Clare Trust Board;   June 2022

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St Clare Catholic Multi Academy Trust Privacy Notice - Pupils

This statement should be read in conjunction with the Admissions Policy, the Data Protection Policy and the Use of Pupil Images Policy.

This statement is intended to provide information about how we will collect, use or process personal data relating to pupils (past and present).

Responsibility for Data Protection

St Clare Multi Academy Trust is registered with the Information Commissioner's Office. The registration number is ZB288989.

The Data Protection Officer (DPO) for the trust is Adnan Bashir. The DPO can be contacted by phone on 0114 256 6401 (Ask for St Clare Multi Academy Trust) or via the contact form on the trust website https://www.stclarecmat.org.uk/contact-us/

If you have any questions or concerns about how data is being collected, used or processed at St Ann's then you should contact enquiries@st-anns.sheffield.sch.uk

The school workforce has a responsibility to abide by school policies and the law relating to data protection.

The Data Protection Act 1998: Why do we collect and use pupil information?

By pupils we mean those pupils who are attending the school, have applied to the school or who are considering applying to the school. We collect and use pupil information under the following Articles of the General Data Protection Regulations (GDPR)

Article 6:
Processing shall be lawful only if and to the extent that at least one of the following applies:
6 (1) a. The data subject has given consent to the processing of his or her personal data for one or more specific purposes;
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.

Article 9:
With regards to the 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 except: 9 (2) a. Where we have explicit consent of the data subject.

For the avoidance of doubt, throughout this document we are using and applying the GDPR

definition of **consent**, namely "any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative actions, signifies agreement to the processing of personal data relating to him or her."

We use pupil data:

- To communicate with potential applicants to the school;
- To support pupil learning;
- To monitor and report on pupil progress;
- To provide appropriate pastoral care;
- To provide appropriate services to pupils (eg cashless catering);
- To assist with supervision and safety of pupils;
- To assess the quality of our services;
- To comply with the law regarding data sharing.

The categories of pupil information that we collect, hold and share include:

- Personal information (such as name, unique pupil number and address);
- Parent information (such as name, address, telephone number, email address);
- Emergency contact information (such as name, relationship, telephone number);
- Sibling information;
- Characteristics (such as ethnicity, language, religion, nationality, country of birth and free school meal eligibility);
- Attendance information (such as sessions attended, number of absences and absence reasons);
- Assessment data, including from former educational establishments;
- Behaviour data;
- Medical information;
- Biometric data;
- Information relating to special educational needs;
- Safeguarding or child protection information, either generated by ourselves or provided by other agencies;
- Pupil images;
- Computer use history, including web browsing history and email records;
- Other information required by the Admissions Policy;
- CCTV footage.

Collecting pupil information

Whilst the majority of pupil information provided to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you at the point of data collection whether you are required to provide certain pupil information to us or if you have a choice in this.

Storing pupil data

- Unless stated below we hold pupil data until they reach the age of 25.
- Child protection records may be kept beyond the age of 25 on a case-by-case basis as per "Keeping Children Safe in Education Statutory Guidance for Schools and Colleges September 2022" and "Working together to Safeguard Children. A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children March 2015."
- Where former pupils have given consent, we store personal information (name and contact details) to enable alumni to remain involved with the school community until such point as they withdraw that consent.
- CCTV footage is stored for a maximum period of 4 school weeks unless there are specific circumstances that fall under Article 6e) of the GDPR that would allow us to retain footage for a longer period.

Who do we share pupil information with?

We routinely share personal data in relation to pupils on a statutory basis under article 6 (1) e. of GDPR with:

- Schools that the pupil attends after leaving us - we have a statutory requirement to share information that is recorded on the Common Transfer Form (CTF) with a new school, see https://www.gov.uk/government/collections/common-transfer-file for further information;
- The Department for Education (DfE);
- The Local Authority;
- The Diocese of Hallam
- National Pupil Database
- Other schools in line with SEND processes
- Medical and other agencies in line with the requirements 'Working Together to Safeguard Children, 2015";

Where the data sharing is not undertaken on a statutory basis, we will ensure that we have either

- a contractual agreement for the sharing of data with the company concerned demonstrating compliance to GDPR, or;

- in those situations where pupils are using educational websites as part of their curriculum and we are not able to obtain a signed contract from the website concerned, we will require as a minimum a copy of an up-to-date privacy statement from the company that satisfactorily demonstrates their compliance to GDPR for the purposes of the data sharing concerned.

A register of companies and individuals with whom we share data on a non-statutory basis under article 6 (1) e. of GDPR is maintained by the Data Protection Officer. These companies and individuals come under the following headings:

- CPOMS - to log safeguarding information as part of our statutory obligations as per the requirements 'Working Together to Safeguard Children, September 2016.";
- Companies providing catering services to the school – currently Dolce Ltd – in order to provide meals to pupils at lunchtime;
- Companies taking school photographs – currently Clavells – in order that we can provide parents with an opportunity to purchase school photographs;
- Companies providing payment services for parents in order that parents can make electronic payments to school;
- 2Simple (Foundation Stage only) – in order that parents are kept informed of their child's progress in Foundation Stage;
- Show My Homework – to allow pupils to access an online homework journal, along with resources that may be needed to support the homework concerned;
- Eclipse Library System – to enable the school to manage the lending of library books;
- Accelerated Reader – to support students with reading and to measure reading ages;
- Diagnostic Questions – to support learning by identifying student misconceptions in Mathematics;
- Hodder Dynamic Reader – to enable students to access online textbooks to support their learning;
- Kerboodle – to enable students to access online resources and assessments to support learning;
- Keep Kids Safe – to enable school to communicate electronically with parents;
- TT Rockstars – to enable students to access online activities to support with learning in Mathematics;
- Schools that the pupil attends after leaving us – we have a statutory requirement to share information that is recorded on the Common Transfer Form (CTF) with a new school, see https://www.gov.uk/government/collections/common-transfer-file for further information. We may also be required to share additional information as part of our statutory obligations as per the requirements 'Working Together to Safeguard Children, 2015."

We may also share student data with Staff who have been appointed, and a signed a contract of employment, but who not yet commenced employment. For example to support them with lesson planning.

Why we share pupil information

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

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

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

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.

A parent / guardian can request that **only** their child's name, address and date of birth is passed to their local authority by informing us.

For more information about services for young people, please visit the Local Authority website.

The National Pupil Database (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 https://www.gov.uk/government/publications/national- pupil-database-user-guide-and-supporting-information.

The Department for Education 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

Requesting access to your personal information

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. This is referred to as a Subject Access Request (SAR). The GDPR clarifies that the reason for allowing individuals to access their personal data is so that they are aware of and can verify the lawfulness of the data processing. To make a request for your personal information, or be given access to your child's educational record, contact the Data Protection Officer.

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 the Data Protection regulations.

In the case of pupils the right to subject access is the pupil's right. This may be exercised by someone with parental responsibility only when the child is not capable of exercising their own right. If the pupil is capable of exercising their rights themselves then the pupil's consent must be obtained prior to responding to the SAR.

The Information Commissioners Office states that it is reasonable to adopt a general position of allowing a child to exercise their rights at the age of 12. However, this is dependent on each individual and a judgement must be made in each case. What matters is that the child is able to understand (in broad terms) what it means to make a SAR and how to interpret the information they receive as a result of doing so. When considering borderline cases, we will take into account, among other things:

- Where possible, the child's level of maturity and their ability to make decisions like this;
- The nature of the personal data;

- Any court orders relating to parental access or responsibility that may apply;
- Any duty of confidence owed to the child or young person;
- Any consequences of allowing those with parental responsibility access to the child's or young person's information. This is particularly important if there have been allegations of abuse or ill treatment;
- Any detriment to the child or young person if individuals with parental responsibility cannot access this information; and
- Any views the child or young person has on whether their parents should have access to information about them.

To make a SAR, or to exercise any of your rights under data protection regulation, you should contact Mrs E Smith on enquiries@st-anns.sheffield.sch.uk at the school.

On receipt of a request to exercise any of your rights under data protection regulation, the school will:

- Respond to acknowledge receipt of your request.
- Request proof of identify of the person making the request.
- Inform you as to whether there are any statutory reasons why we may be unable to respond to your request.
- Act in accordance with the GDPR in terms of our actions in response to your request, and with due regard to the timescales set out in the GDPR.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at https://ico.org.uk/concerns/

Contact:

If you would like to discuss anything in this privacy notice, please contact the trust Data Protection Officer or the relevant member of staff at the school (see details at the start of this policy)