



Privacy Notice for pupils and parents

This notice explains why Aurora Academies Trust collects pupil, parent and family information (known as personal data) and how we use and share it. For the purposes of data protection law Aurora Academies Trust is the “data controller”.

The categories of personal data that we collect, hold and share include:

- Children’s personal information (such as name, photo, unique pupil number and address)
- Contact details for parents and guardians
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as test scores and progress data)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Special Educational Needs information (such as assessments carried out by professionals)
- Exclusions and behavioural information (such as number of fixed and permanent exclusions and the reasons for them)
- Family circumstances (such as where children are “looked after” or where there is a child protection plan in place)
- At some of our site, we record CCTV for the safety and security of everyone in the school
- Photographs and video clips
- Post 16 destinations and learning information

Why we collect and use this personal data

We use this personal data:

- to support pupil learning
- to monitor and report on pupil attainment and progress
- to communicate with parents and guardians
- to provide support for special educational needs
- to provide appropriate pastoral care
- to assess the quality of our teaching
- to provide family support services
- to comply with the law regarding data sharing
- to promote the work of our schools
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us for the Department for Education (DfE) data collections

The lawful bases on which we use this information

We will only collect and use your information when the law allows us to. We need to establish a lawful basis to do this. Our lawful basis for processing your personal information can be seen below:

- We collect and use pupil information under a task performed in the public interest where it relates to a child’s educational progression;
- Some photographs and videos are used only after gaining explicit consent;
- Where medical data is being processed, this is processed under a legal obligation (Children and Families Act 2014 which includes a duty on schools to support children with medical conditions);

- Safeguarding data is processed under the legal obligation of The Education Act 2002. Sections 21 and 175, which detail how governing bodies of schools must promote the well-being of pupils and take a view to the safeguarding of children at the school;
- We collect and process pupil information to perform our official function (public task)
- Where it is carried out as a task in the public interest such as equal opportunities monitoring, for child protection purposes or where otherwise authorised by law, such as Departmental Censuses as required in the Education Act 1996.

Where you have provided us with consent to use your personal information, you may take back this consent at any time. We will make this clear when requesting your consent and explain how you withdraw your consent if you want to.

Our basis for using special category data

For special category data (sensitive personal information) we only collect and use it when we have both a lawful basis as set out above and one of the following conditions for processing as set out in data protection law:

- Where we have obtained your explicit consent to use your information in a certain way;
- When we need to use your information under employment, social security, or social protection law;
- When we need to protect an individual's vital interest (i.e protect your life or someone else's life) in situations where you are physically or legally incapable of giving consent;
- Where the information has already been made obviously public by you;
- When we need to use it to make or defend legal claims;
- When we need to use it for reasons of substantial public interest as defined in legislation;
- Where we need to use it for health and social care purposes and it's used by, or under the direction of, a professional obliged to confidentiality under law;
- Where we need to use it for public health reasons and its used by, or under the direction of, a professional bound by confidentiality under law; and
- When we need to use it for archiving purposes, scientific or historical research purposes, and/or for statistical purposes, and the use is in the public interest.

For criminal offence data, we will only collect and use this type of personal information when we have both a lawful basis as set out above and a condition for processing as set out in data protection law. Conditions include:

- we have obtained your consent to use it in a specific way;
- we need to protect an individual's vital interests (i.e protect your life or someone else's life) in situations where you are physically or legally incapable of giving consent;
- the data concerned has already obviously been made public by you;
- we need to use it as part of legal proceedings, to obtain legal advice or to make or defend against legal claims; and
- we need to use it for reasons of substantial public interest as defined in legislation.

Examples of data collection purposes (Departmental Censuses) are the Education Act 1996 – this information can be found in the census guide documents on the following website:

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

- Children and Families Act 2014 includes a duty on schools to support children with medical conditions;
- The Equality Act 2010 (England, Scotland and Wales) requires you to make reasonable adjustments to ensure that children and young people with a disability are not put at a substantial disadvantage compared with their peers;
- The Education Act 2002, Sections 21 and 175 detail how governing bodies of schools must promote the wellbeing of pupils and take a view to the safeguarding of children at the school;
- Section 3 of the Children Act 1989 places a duty on a person with the care of a child to do all that is reasonable in the circumstances for the purposes of safeguarding the child;
- Education Act 1996, relating to attendance at school.]

Collecting personal data

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is

mandatory, some of it is requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection whether you are required to provide certain pupil information to us or if you have a choice in this.

We collect pupil information in multiple ways:

- Transfer of electronic and physical data from another setting (such as a previous school);
- Information given to us by the pupils in the school (such as in work or behaviour reports);
- Information given to us by a parent or carer (such as information required when a child starts school); and
- Information provided to us from external agencies and organisations (such as the Local Authority).

Storing information

Where we collect and hold pupil information, we endeavour to ensure all appropriate technical and organisational measures are in place to keep the data secure. Data will be kept for the duration as documented in our Retention Schedule.

We hold this information for as long as the pupil attends the school or, in the case of family support work, for as long as we are working with a family. Emails and documents containing this information may be stored on a server or cloud based storage system after the pupil has left the school. We may also retain basic personal (e.g. name, date of birth and dates of attendance at school) for a longer period of time.

Transfer of personal data

Some information may be transferred overseas, for example if a school website, email or document management system is hosted overseas. Data protection laws allow us to transfer personal data within the European Economic Area. Where the transfer is to a recipient outside of the EEA we will ensure that there are adequate protections in place, such as use of the Privacy Shield scheme in the USA.

Who we share information with

We routinely share pupil information with:

- schools that pupils attend after leaving us
- the local authority
- examination bodies
- admissions authorities
- youth support services (pupils aged 13+)
- the Department for Education (DfE)
- suppliers that we have contracted with to provide educational services and those related to the operations of the school (see Appendix A)
- health visitors or school nurse
- third parties working in school (e.g. catering companies who need pupil allergy information or organisations running after school clubs)
- software providers (e.g. where we use software for the purposes of tracking attainment or behaviour)
- statutory research bodies
- regulators, such as Ofsted or the Information Commissioner's Office, when required to do so
- Auditors and other professional bodies

Parents: we will share your information with members of staff, other agencies and, where you have agreed, to ensure the functioning of a contract, with third-party processors who provide services to the school.

Why we share information

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

Where we share with third-party services, this will be in line with data protection law and specified in the agreements with those third-parties.

Information shared with the DfE

We share pupils' 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 by law to share certain information with the DfE. This information sharing underpins school funding and educational attainment policy and monitoring. To find out more about the data collection requirements placed on us by the Department for Education go to:

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Information shared with youth support services

When our pupils reach the age of 13, we may pass information to the 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 (pupils aged 16+).

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 pupil once he/she reaches the age of 16.

The National Pupil Database (NPD)

The NPD is owned and managed by the DfE and contains information about pupils in schools in England. It provides 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 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 NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The DfE 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 DfE has 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 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 information to, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

Requesting access to personal data

Under data protection legislation, parents and pupils have the right to request access to personal data about them that we hold. This is called a Subject Access Request. To make a request, please 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

For more information on how to make a request please visit the following website

<https://ico.org.uk/for-the-public/personal-information/>

If you have a concern about the way we are collecting or using your personal information, we request that you raise your concern with the Data Protection Officer in the first instance. You may also contact 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:

Data Protection Officer: James England

Telephone: 0800 0862018

Email: dpo@dataprotection.education

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