

**Privacy Notice for Parents/Carers (in relation to pupil personal data)**  
**General Data Protection Regulation**

**Horton St Michael's First School Commitment to Data Privacy**

**Horton St Michael's First School** is committed to protecting the privacy and rights of anyone who chooses to share their personal data with us. Under data protection law, individuals have a right to be informed about how we use any personal data we hold about them and we comply with this right by providing 'privacy notices' (otherwise known as fair processing notices) to individuals where we are processing their personal data. Individuals can find out more information about the UK GDPR [here](#).

This privacy notice explains what personal information the Academy collects and holds about pupils and their parents/carers. It explains why we hold this information, what we do with it, how long we keep it for and if we share it with anyone else.

The Academy is the Data Controller for the personal information you provide to us. This means that we determine the purposes for which, and the manner in which, any personal data relating to pupils and parents/carers is to be processed in order to comply with legal obligations and legitimate interests (in accordance with Article 6 of the UK GDPR) as a public sector organisation. The personal data collected is essential, in order for the Academy to fulfil its official functions.

A data protection representative for the Academy can be contacted on 01538 306278 or [office@hortonstmichaels.co.uk](mailto:office@hortonstmichaels.co.uk) in the first instance for any queries in relation to the processing of your personal data.

Staffordshire University Academies Trust has a Data Protection Officer whose role is to support the Trust and its' Academies with data processing practices. The DPO can be contacted on 01782 987120 or [DPO@suatrust.co.uk](mailto:DPO@suatrust.co.uk).

The information you provide will be used in accordance with the Staffordshire University Academies Trust data protection policies can be found by accessing the Trust's website - <http://www.suatrust.co.uk/documents---policies>.

**The personal data we process**

We process personal information about pupils and their parents/carers to meet our statutory duties and to fulfil our purpose as a public sector organisation, to deliver teaching and learning to pupils and protect their health, safety and welfare within the education system. For the same reasons, we get information about you from other sources too, such as other schools, the local council and the government.

Personal data that we collect, use, store and when appropriate, share, includes but is not restricted to:

- Yours and your child's contact details, such as name and address
- Your child's date of birth and gender
- Unique pupil number
- Details for emergency contacts – parent / carer contact details including name and address, phone number and email address
- Child's first language
- The child's position in your family, e.g. eldest sibling
- Admission number, the date of admission and the date of leaving, where appropriate
- Your child's characteristics, such as ethnic background, religion, any special educational needs, free school meals
- Parent's National Insurance Number (where required to provide free school meals)
- Identification (e.g. birth certificates)

- Any medical conditions your child has, including physical and mental health (such as doctor's information, child health, dental health, allergies, medication and dietary requirements), medicine consent and administering records
- The child's attendance records (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- National curriculum and agreed syllabus record sheets and religious education locally agreed syllabus sheets
- Workbooks and planners
- Written educational reports
- Special educational needs information
- Your child's test results, attendance assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Safeguarding information (such as court orders and professional involvement, any notes indicating child protection disclosures and reports)
- Agency reports such as speech and language therapists, educational psychologist
- Any information about an education and healthcare (EHC) plan and support offered in relation to the EHC plan
- Individual risk assessments
- Notes relating to incidents and accidents that involve your child
- Any correspondence with parents/carers or external agencies
- Parental and, where appropriate, pupil consent forms for educational visits, photographs and videos, etc.
- Notes indicating that records of complaints made by parents/carers or the pupil are held
- Photographs of your child
- CCTV images of your child
- Biometric information for your child

Pupils' personal data will be sought from the pupil or their parent. We may also hold data about pupils that we have received from local authorities and the Department for Education. Third parties will be contacted to obtain pupils' personal data with their consent, unless the Academy has a legal reason for doing so. We will also obtain copies of your child's file from their previous school where relevant.

### **Why we use this data**

The Academy has the legal right and a legitimate interest as a public organisation to collect and process personal data relating to pupils who attend our setting, along with some essential information regarding parents / carers and emergency contacts. We process personal data to fulfil our obligations as a public organisation in order to:

- Get in touch with parents / carers as required, including for emergencies
- Support learning by keeping track of educational progress, monitor and report on pupil attainment progress, check how pupils are performing in exams and ascertain whether further help is required
- Ensure that your personal information is accurate
- Track how well the Academy as a whole is performing and assess the quality of our services
- Look after child wellbeing and provide appropriate pastoral care
- Keep children safe by collecting medical information, information regarding allergies, and provide appropriate medical care
- Ensure that pupils are safeguarded from harm and ensure their welfare is protected
- Keep the school site secure
- Ensure that we have a record of consents
- Meet statutory duties, including those placed upon us by the Department for Education
- Administer admissions waiting lists
- Carry out research to support teaching and learning

The Academy collects information regarding its pupils for the educational record to fulfil its duties as an educational authority including name and address, date of birth, gender, unique pupil number, position in your family, admission number, the date of admission and the date of leaving, copies of identification (e.g. birth certificates) and first language.

We require information in the form of National Curriculum and agreed syllabus record sheets and religious education locally agreed syllabus sheets, workbooks and planners, written educational reports, test results, attendance assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results) to enable us to support pupil educational careers, keep track of educational progress, support pupil learning,

monitor and report on pupil attainment progress as part of our obligations to provide a quality education. We also use secure third-party educational platforms (such as Times Tables Rock Stars) to support teaching and learning and to monitor progress. These platforms only receive the minimum data necessary to provide their service.

Attendance records (such as sessions attended, number of absences, absence reasons and any previous schools attended) are collected to ensure that the Academy can monitor attendance to school to meet the requirements of the Education Act 1996, to deliver education services to children, meet the national attendance target of 95% and reduce the persistent absence target. Attendance is also monitored for health and safety and safeguarding purposes, to ensure that we can safely evacuate pupils from the building and register them in an emergency. We will also refer any concerning absences to the relevant safeguarding board or Educational Welfare Worker and to permit penalty notices to be issued under the Anti-Social Behaviour Act 2003, amended Section 444 of the Education Act 1996.

The Academy collects information about pupils in order to adhere to our safeguarding obligations under Section 175 of the Education Act 2002 and the Children Act 2004; including safeguarding information (such as court orders and professional involvement, any notes indicating child protection disclosures and reports are held). In conjunction with this, under the Counter Terrorism and Security Act 2015 the Academy also has a statutory duty to have due regard to the need to prevent people from being drawn into extremism and this may involve collecting personal information relating to extremist views, behaviours or online activity of children.

The Academy participates in the County Council's Operation Encompass. This operation supports a communication flow between the Academy, the Council's Education Authority and Children's Services and Police to facilitate a lawful exchange of information to comply with the statutory duty on Police Officers to safeguard children. The operation provides appropriate and early intervention support to a child who was present, is normally present, witnessed or was involved in a domestic abuse incident.

To permit us to ensure that our safeguarding and prevent obligations are met, the Academy also monitors data about pupils' use of the Academy's information and communications system.

The Academy collects information regarding its pupils to ensure that the safety of all pupils is maintained whilst under our care, including emergency contact information in case the pupil becomes unwell or is involved in an accident / incident, health information to ensure that risk assessments can be implemented as required to permit the Academy to control the risks to your child and keep them safe. Accident / incident reports enable the Academy to report any accidents / incidents to the Health and Safety Executive in accordance with legal obligations under RIDDOR 2013. This may include notes relating to major incidents and accidents that involve your child and any correspondence with parents / carers or external agencies relating such issues.

Information about pupil emergency contacts is collected by the Academy; it is the responsibility of the parent/carer to obtain consent to provide this information. The Academy may share personal information about the pupil with their emergency contact and the medical services where there is an accident or incident, including those requiring urgent response/medical care to protect their vital interests.

The Academy collects information regarding your child's characteristics, like your ethnic background, religion, free school meals eligibility and biometric information (such as fingerprint) where consent has been provided for us to do so, through completion of our data collection form. Ethnic background and religion, where provided, will be shared with the DfE and County Council through the census process. Free school meals eligibility will be shared with the County Council and the Academy's catering provider for the purpose of assessing eligibility and providing children with school meals where they are entitled to receive this.

Special educational needs information is processed because the Academy has a duty of care to support children with SEN to progress throughout their educational career, following obligations under the Special Educational Needs and Disability Act 2001, The Equality Act 2010 and under its duties as an educational establishment to deliver quality teaching and learning.

Agency reports as speech and language therapists, educational psychologist reports, behavioural information and information about an education and healthcare (EHC) plan is processed to enable the Academy to support your child to achieve throughout your educational career, with the appropriate tools to do so. This may require sharing your personal data with the relevant agencies to permit us to deliver a quality education to you under our legitimate interests as a public organisation, with guidance from external experts.

The Academy also processes information relating to correspondence with parents / carers and notes about minor issues, parental and, where appropriate, pupil consent forms for educational visits, photographs and videos, etc., notes indicating that records of complaints made by parents / carers or the pupil are held to enable us to fulfil our official duties as a school and keep appropriate records regarding consent where this is required, and actions taken to resolve concerns or issues.

You may provide us with consent to use your child's data in the form of photographs and videos. Where you have provided your consent for the Academy to process images of pupils, this will be undertaken in accordance with the consent provided. This includes:

Academy and Trust website displays including news feeds and galleries. This includes videos of school events which are uploaded to the Academy website
Digital prospectus shared on the Academy website
Photos shared in Academy building displays and galleries
Photos shared on achievement boards
Photos shared in termly newsletters (digital and hard copy)
Photos utilised for recognition purposes on student/pupil electronic records
Photos utilised on/in student/pupil exercise and work books as learning aids
Photos/videos taken during educational visits for the website/internal displays
Photos displayed in Academy social media
Photos taken for academy productions
Photos taken for year books
Annual official Academy photos (whole year group/class group/individual)

CCTV recordings are used for public safety interests and the prevention and detection of crime. Recordings also provide enforcement agencies with evidence of criminal activity, for formal actions including prosecutions in court and identification of offenders in investigations. These recordings contain images of individuals utilising the academy grounds / building and the legal basis for using the information you provide us is:

- For the interest of staff, pupil and public safety, the prevention and detection of crime, apprehension and prosecution of offenders and for legal proceedings
- Where the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law

The CCTV database is used to record incidents that are actioned by designated staff with secure access to the system. This information can be used as an evidential log if needed for legal purposes, to internally investigate an accident or incident which may be shared with our governing body, as well as for the Staffordshire Police, Health and Safety Executive as required.

Where we require your consent for collecting data, this will be specified on the form for the request of data. Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so. Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the Academy's use of the personal data. Where it is legally required, or necessary (and it complies with data protection law) we may share personal information.

### **Our lawful basis for using this data**

Pupil data is important for the Academy to collect to ensure that it can provide quality teaching and learning and keep you safe at school. Whilst the majority of personal information you provide to us is set, some of it is requested on a voluntary basis. In order to comply with the UK GDPR, we will inform you at the point of collection, whether you need to provide certain information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Comply with a legal obligation (Article 6(1)c)
- Carry out a task in the public interest (Article 6(1)e)
- Legitimate interest (Article 6(1)f)

Less commonly, we may also use personal information about where:

- You have given us consent to use it in a certain way (Article 6(1)a)

- We need to protect your vital interests, or someone else's vital interests (Article 6(1)d)

We collect data which is specified under the UK General Data Protection Regulation as Special Category Data, known as data that could be considered particularly sensitive. This means that, under the UK GDPR, we have obligations to keep this data secure and use it where:

- We have explicit consent (Article 9(a))
- Where we need to protect the vital interests of an individual (Article 9(c))
- We have a legitimate interest as a not for profit organisation (Article 9(d))
- For the safeguarding of children and individuals at risk (Paragraph 18, Schedule 1, Data Protection Act 2018)
- Health and social care (Article 9(h))
- Archiving and statistics (Article 9(j))

We will only use the personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use personal information for an unrelated purpose, we will inform you and we will explain the reason for this.

Pupil data is essential for the Academy's operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it 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 and we will inform you what you need to do if you do not want to share this information with us.

### **How we keep this information**

We will keep personal information about pupils whilst they attend the Academy. We may also keep it after they have left the Academy, where we are required to by law. Where pupil's move school, we will pass their information on to the next school.

The Academy will not share personal information with others without your consent, unless the law and our policies allow us to do so. Permission will be sought using our data collection forms and any further consent forms required. 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.

We have a policy which sets out how long we must keep information about pupils. You can request a copy from the school office.

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about pupils with:

- Our local authority, Staffordshire County Council – to meet our legal duties to share certain information with it, such as concerns about pupils' safety, safeguarding concerns, and exclusions, health and safety and financial purposes.
- The Department for Education (a government department).
- Pupils' family and representatives - to support their health and welfare, behaviour, safety and progress.
- Educators and examining bodies – to ensure that we can assess progress and achievements.
- Ofsted – to ensure that we provide quality learning.
- Suppliers and service providers, including professional bodies, professional advisers and consultants, counsellors, special educational needs specialists, careers advisors, school nurse and NHS – so that they can provide the services we have contracted them for.
- Our auditors – to ensure that we comply with finance, data protection and health and safety.
- Survey and research organisations – to gather your feedback about the Academy.
- Health authorities and health and social welfare organisations – to ensure we support health and wellbeing.
- Charities and voluntary organisations – to enable the Academy to provide more opportunities.
- Police forces, courts, tribunals – to ensure the Academy meets legal requirements.
- Website and social media – where parents/carers/pupils have consented to the sharing of information here.
- Medical/Paramedic Services - Incidents relating to the safety of the building occupants requiring medical/paramedic/ambulance services.

## National Pupil Database

We are required to provide information about pupils to the Department for Education (a government department) as part of data collections such as the school census. Some of this information is then stored in the National Pupil Database, which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

The Department for Education may share information from the database with other organisations which promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use your data.

You can find more information about this on the Department for Education's webpage on how it collects and shares research data. You can also contact the Department for Education if you have any questions about the database.

## Youth support services

Once students reaches the age of 13, we are legally required to pass on certain information about them to the local authority and youth support services as it has legal responsibilities regarding the education or training of 13-19 year-olds under section 507B of the Education Act 1996. This enables them to provide youth support services and careers advisers.

We also share certain information about students aged 16+ with 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 post-16 education and training providers, youth support services and career providers.

Parents/carers, or students once they're 16, can contact our Data Protection Lead to ask us to only pass name, address and date of birth to the local authority and youth support services.

## Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

The pupil data that we lawfully share with the DfE through data collections:

- Underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school
- Informs short term education policy monitoring and school accountability and intervention (for example, school GCSE results or pupil progress measures)
- Supports longer term research and monitoring of educational policy (for example, how certain subject choices go on to affect education or earnings beyond school)

To find out more about the data collection requirements placed on us by the DfE, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The law allows the Department to share pupils' data with certain third parties, including:

- Schools
- Local authorities
- Researchers
- Organisations connected with promoting the education or wellbeing of children in England
- Other government departments and agencies
- Organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly one per year to the Police. For information about which organisations the Department has provided pupil information, and for which project, or to access a monthly break down of data share volumes with Home Office and the Police, please visit <https://www.gov.uk/government/publications/dfе-external-data-shares>.

## Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under the Schools Admission Code, including conducting Fair Access Panels.

## Rights in relation to personal data

### How to access personal information we hold about you:

You can find out if we hold any personal information about you or your child, and how we use it, by making a ‘**subject access request**.’

- Individuals have a right to make a ‘subject access request’ to gain access to personal information that the Academy holds about them. A request can be made to the Academy’s Data Protection Representative, whose contact details can be found within this Privacy Notice. If you would like to make a request, please find a link to the information to the supporting information [here](#).
- Your child may also have a right for their personal information to be transmitted electronically to another organisation in certain circumstances.

Parents/carers may also make this request on behalf of their child in certain circumstances.

You may also ask us to send your personal information to another organisation electronically in certain circumstances.

If you want to make a request please contact our Data Protection Lead.

### Other rights in relation to personal data:

Data subjects have other rights over how their personal data is used and kept safe. Your child has the same rights over their personal data including the right to:

- Say that they don’t want it to be used if this would cause, or is causing, harm or distress
- Stop it being used to send marketing materials
- Say that they don’t want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it

## Queries and Complaints

**We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we’ve done something wrong.**

If you have any queries in relation to our processing, or think that our collection or use of personal information is unfair or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance by contacting our Data Protection Officer:

Email – [DPO@suatrust.co.uk](mailto:DPO@suatrust.co.uk)

Telephone – 01782 987120

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

## Further information

If you require further information about how we use your personal data, please visit our website, [www.hortonstmichaels.co.uk](http://www.hortonstmichaels.co.uk)