

Privacy Notice for Pupils / Students

Your personal data

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' 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/students. 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 way that your personal information is used, to meet legal obligations and to function as a school to teach pupils/students and keep them safe, (Article 6 of the UK GDPR). The personal data collected is important to allow the Academy to fulfil its official functions to provide education.

If you need to speak to someone about the personal information the academy uses, Mrs Julia Shenton is your point of contact. They can be found in school office or can be contacted on 01538 306278 or office@hortonstmichaels.co.uk

Staffordshire University Academies Trust has a Data Protection Officer whose role is help the Academy with data protection matters. The DPO can be contacted on 01782 987120 or dpo@suatrust.co.uk.

The information you provide will be used in accordance with the Staffordshire University Academies Trust's data protection policies which can be found on the website www.suatrust.co.uk. Please note that this privacy notice may be updated at any time.

The personal data that we store and use

We hold some personal information about you to make sure that we can support your education and learning and look after you when you are at the Academy. For the same reasons, we get information about you from other sources too, such as other schools, the local council and the government. This information includes the following:

- Personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- Your date of birth and gender
- Details for your emergency contacts – parent / carer contact details including name and address, phone number and email address, relation to you and if they have parental responsibility
- Your first language
- Position in your family, e.g. eldest sibling
- Admission number, the date of admission and the date of leaving, where appropriate
- Your characteristics, like your ethnic background, religion, any special educational needs information
- Your eligibility for free school meals

- Identification (e.g. birth certificate)
- Any medical conditions you have, including physical and mental health (such as doctor's information, dental health, allergies, medication and dietary requirements), medicine consent and administering records
- Family circumstances which might affect your welfare or happiness
- Your 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
- Workbooks and planners
- Written educational reports
- Special educational needs information and support
- Your test results, attendance assessment and attainment
- 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, or pre statutory support
- Individual risk assessments and care plans
- Notes relating to incidents and accidents that involve you
- Any correspondence with parents or external agencies involving you, including records of meetings, phone calls, emails
- Details of your care circumstances at home
- Parental and, where appropriate, pupil consent forms for educational visits, photographs and videos, etc.
- Details about how you get to school
- Information about how you use our computer systems to ensure that you are safe online
- Information relating to complaints
- Photographs of you
- Time on and off site

Why we collect and use pupil information

We collect and use pupil information for the following purposes:

- To provide children with an education
- 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 personal information is accurate
- Track how well academies are performing and assess the quality of our services
- Look after children's wellbeing and provide appropriate pastoral care, to safeguard the welfare of children
- Offer family support, within the remit of the academies and Trust
- Keep children safe by collecting medical information, information regarding allergies, and provide appropriate medical care
- Ensure that pupils are safeguarded from harm
- Keep school sites 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
- Resolve any complaints or grievances
- Enable products to be purchased such as tickets for events, uniform, school meals, process free school meals
- Support research and for historical purposes for example, if a news article was written about an academy or the Trust
- To facilitate and deliver school meals
- To offer family support, where we can
- To deliver interventions and offer further support and care

- Where otherwise reasonably necessary for the Academy's purposes, including to obtain appropriate professional advice and insurance for the setting
- To provide support to pupils and students after they leave the setting

The Academy collects information regarding its pupils / students to comply with the law and provide you with a quality education.

Your attendance records are collected to ensure that the Academy can monitor your attendance to school and meet the requirements of the law and for health and safety and safeguarding purposes. We will also refer any concerning absences to the relevant safeguarding board or Educational Welfare Worker.

The Academy collects information about pupils / students in order to adhere to our safeguarding obligations, including the online activity of children whilst in school, to allow us to ensure that our safeguarding and prevent obligations are met, and to keep you safe.

The Academy collects information regarding its pupils / students to ensure that the safety of all pupils / students is maintained whilst under our care, including emergency contact information in case a pupil / student becomes unwell or is involved in an accident and health information to ensure that the Academy can keep you safe.

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

The Academy collects information regarding your 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 providing children with schools where they are entitled to receive this.

Special educational needs information is processed because the Academy has a duty to support children with SEN to progress and achieve throughout their educational career and experience high quality teaching and learning.

The Academy is required to maintain records about pupils, students and their families in relation to safeguarding. This will be kept securely within our safeguarding system and maintained for the required timescales. To enable the Academy to support your welfare and wellbeing, and ensure that we meet our legal duties to safeguard young people, in certain circumstances we will be required to share information about children and their families with external agencies e.g. the local authority, police, LADO.

Agency reports such 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 you 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 with guidance from experts.

The Academy also processes information relating to correspondence with parents and notes about issues, parental and, where appropriate, pupil / student consent forms, including for educational visits, photographs and videos, etc., notes indicating that records of complaints made by parents / carers or pupils / students 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 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.

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 reasons why the Academy's uses your information.

How we collect your information

The majority of pupils' / students' personal data will be sought from the pupil / student or their parent / carer or processed through the course of your attendance to our setting (e.g. learning records and test results). When you come to school, information will be provided about you, using our data collection forms. You / your parent or carer may also provide us with information, along with data from doctors and other professionals. We will also obtain copies of your file from your previous school via a common transfer file, and will obtain data about you from the Department for Education and local authority, and other agencies to support your education and welfare if needed.

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. To comply with the UK General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this. It is important that the personal information we hold about you is accurate and current and so please keep us informed if your personal information changes during your time at the Academy. Changes can be made by contacting office@hortonstmichaels.co.uk

Lawful basis

Under the [UK General Data Protection Regulation \(UK GDPR\)](#), the lawful bases we rely on for processing pupil/student information most commonly are:

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

Less commonly, we may also use personal information where:

- Individuals have given us consent to use it in a certain way (Article 6(1)a)
- Comply with a contractual obligation (Article 6(1)b)
- We need to protect an individual's vital interests (Article 6(1)d)
- Legitimate interest (Article 6(1)f)
- As a recognised legitimate interest under the Data Use and Access Act

We collect data which is specified under the UK General Data Protection Regulation as Special Category Data. 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))
- For employment, social security and social protection reasons (Article 9(b))
- 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 or social care (Article 9(h))
- Archiving and statistics (Article 9(j))

We will only use your 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 your personal information for an unrelated purpose, we will inform you and we will explain the reason for this.

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.

Storing pupil / student data

We will keep personal information about you whilst you are a pupil / student at our Academy. We may also keep it after you have left the Academy, where we are required to by law. Where you move school, we will pass your information on to the next school.

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

We hold data whilst you attend our school and for some records, after you leave our school. Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely, or rectified. We will retain this file and delete the information in it in accordance with our Retention and Records Management Policy which can be found on the Trust website www.suatrust.co.uk.

Your data will be stored securely: (amend based on Academy systems/storage locations):

- Our management information system
- Our pupil records
- Our accident reporting system
- Our secure internal network
- Our H&S system

We have measures in place for the security of personal information including our Cyber Response Management Plan and Information Security Policy. You can request a copy of our retention policy from Mrs Julia Shenton, Data Protection Representative.

Who we share pupil /student information with

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with (amend as appropriate for your setting):

- Schools that pupils / students attend after leaving us
- Our local authority, Staffordshire County Council, and Local Authority Designated Officer
- The Department for Education (a government department)
- Youth Support Services (students aged 13+)
- Your family and representatives - to support your health and welfare, behaviour, safety and progress
- Educators and examining bodies – to ensure that we can assess your progress and achievements
- Ofsted – to ensure that we provide you with quality learning
- Suppliers and service providers, including professional bodies, professional advisers and consultants – so that they can provide the services we have asked them to, e.g. school nurses, careers advisors, counsellors
- Our auditors
- Survey and research organisations
- Health authorities and health and social welfare organisations
- Charities and voluntary organisations
- Police forces and courts
- Websites and social media
- Medical/paramedic services
- Our multi academy trust and governors
- Our insurers
- The NHS
- Providers of learning software and our management information system provider
- Our H&S reporting system and safeguarding system
- Our IT support provider to support your access to Academy ICT systems and services
- Our ICT monitoring system for cyber incident prevention and to adhere to online safety requirements

- Our signing in system, to support us to manage and register individuals on site in the event of an emergency evacuation and to ensure there is a list of individuals on the premises

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

Department for Education (DfE)

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 includes:

- 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/dfe-external-data-shares>.

For more information, please see 'How Government uses your data' section. For privacy information on the data the Department for Education collects and uses, please see:

<https://www.gov.uk/government/publications/privacy-information-early-years-foundation-stage-to-key-stage-3>

and

<https://www.gov.uk/government/publications/privacy-information-key-stage-4-and-5-and-adult-education>

Your rights

You can find out if we hold any personal information about you, and how we use it, by making a '**subject access request**'. We will need to know that you can properly understand your rights and what they mean.

- 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.
- You may also have a right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you want to make a request please contact our Data Protection Representative, Mrs Julia Shenton.

Your other rights over your data:

You have other rights over how your personal data is used and kept safe, including the right to the following, in certain circumstances:

- Be informed about the collection and use of your personal data – this is called 'right to be informed'.
- Ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- Ask us to delete your personal information – this is called 'right to erasure'
- Ask us to stop using your information – this is called 'right to restriction of processing'.
- Object to processing' of your information, in certain circumstances.
- Rights in relation to automated decision making and profiling.
- Withdraw consent at any time (where relevant).

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- The right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- The right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- The right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent.

Withdrawing your consent

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting office@hortonstmichaels.co.uk

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

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

Updating this privacy notice

We may need to update this privacy notice periodically if we change how we collect and process data. The Academy will inform you when this privacy notice has changed; however, we also recommend that you revisit this privacy notice periodically.

Further information

If you require further information about how we use your personal data, please visit our website, www.hortonstmichaels.co.uk

How Government uses your data

The pupil data that we lawfully share with the Department for Education (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)

Data collection requirements

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

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education (DfE) and contains information about pupils in schools in England. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The data in the NPD is provided as part of the operation of the education system and is used for research and statistical purposes to improve, and promote, the education and well-being of children in England.

The evidence and data provide DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-mpd-privacy-notice/national-pupil-database-mpd-privacy-notice>

Sharing by the Department for Education (DfE)

DfE will only share pupils' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, the law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- Schools and 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 for Education's (DfE) NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the UK GDPR, you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

or

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>