



# Privacy Notice

## For Pupils & Parents

<b>Data Controller</b>	Elston Hall Multi-Academy Trust
<b>Data Protection Registration Number</b>	ZA142925
<b>Data Protection Officer</b>	Wolverhampton City Council
<b>To access information held about you</b>	Email: <a href="mailto:dataprotection@elstonhallmat.co.uk">dataprotection@elstonhallmat.co.uk</a>

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## 1. Overview

Elston Hall Multi Academy Trust is the Data Controller of the personal information that the schools within the MAT collect, hold and process. This means that the school determines the purposes for which, and the manner in which, any personal data relating to pupils, their families and employees of the school is to be processed.

Under data protection law, individuals have the right to be informed about what information the school collects about them and how it is used. This privacy notice tells you what to expect when the school processes your personal information, how it is used, shared and held.

## 2. Why we process data

Your privacy is important to us and we are therefore committed to handling your personal data in accordance with the provisions of the Data Protection Act 2018, General Data Protection Regulation 2016/679, and any subsequent changes to data protection legislation.

Under the GDPR, the legal basis / bases we rely on for processing pupil personal information for general purposes are:

- Article 6, 1, (a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- Article 6, 1, (c) processing is necessary for compliance with a legal obligation to which the controller is subject;

The basis/bases we rely on for processing pupil special category information for general purposes are:

- Article 9, 1, (a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;
- Article 9, 1, (b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

We collect and use your personal data for several reasons, this depends on how you interact with the school;

Some of the reasons are things the school must do by law/under our statutory obligations, such as Education Act 1996, Section 3 of the Education (Information About Individual Pupils) (England) Regulations 2013, Article 6 and Article 9 of the GDPR.

- To provide education and support pupil's teaching and learning
- To monitor and report on pupil progress – report to national and government bodies on education attainment, standards and progress.
- To provide appropriate pastoral care
- To assess the quality of our service and how well the school is doing
- To keep children safe.
- Make sure we meet our statutory obligations including those related to diversity and equalities
- Corporate administration and all activities we are required to carry out as a data controller and public authority

Covid-19. Outbreaks of infectious diseases which present a risk to the health of the public and require urgent investigation and management are included in the following legal framework:

- The Department of Health and Social Care has served notice under Regulation 3(4) of the Health Service (Control of Patient Information) Regulations 2002 (COPI) to require schools to provide staff, pupil and visitor details to NHS Test and Trace, upon request. This will be limited to a name and contact telephone number, and only when this falls within the previous 28 days, in line with government guidelines.

We may collect and process data for legitimate reasons in order to provide a range of services to pupils and their families and those who are involved with any of our schools. These we will do in accordance with Article 6 and 9 of the GDPR and may include collating and using information to: Update Pupil records

- Update our contact records
- Maintaining our own accounts and records
- Provision of education
- Supporting and managing our employees
- Contribute to intervention work or social care work
- Being involved in the application for funding, benefits and grants for pupils
- Understand what we can do for you and inform you of other relevant services and benefits.
- CCTV for health and safety purposes

Some of the reasons will be because you have signed up to receive a service the school offers or given your consent for us to use your details. Providing leisure and cultural services for pupils and parents

- Promoting the services we provide
- Carrying out surveys and getting your opinion on what we do
- Send you messages and emails about events in the school

### 3. Categories of Data the school collects

We will need to collect your personal or special category data of a more sensitive nature, to deliver some of the statutory (required by law) and non-statutory services (where you have consented to) that the school provides.

No more information will be collected than is required to deliver that service.

Types of personal and special category (sensitive personal) information we collect about you may include:

- Personal details (name, gender, date of birth, unique pupil number and address)
- Identification numbers (e.g. unique pupil number, NHS number, NI Number)
- Characteristics – such as ethnicity, language, nationality, country of birth and free school eligibility.
- Attendance information (such as sessions attended, number of absences and reasons for absence.
- National curriculum assessment results
- Exclusion information
- Behavioral information
- Medical conditions
- SEND (special education needs and disabilities) information
- Photographs (for identification purposes, records management, attendance procedures and on -line learning journeys)
- Photographs and Video – used within the school to support the curriculum
- Photographs and Video - for our website, publicity and other media purposes
- Social care needs
- Racial or ethnic origin
- Religious or other beliefs of a similar nature

### **Equalities information**

The school may use the following information for statistical reasons about the population of the city and the take up of school services by various groups:

- ethnic background
- first language
- gender
- age

This is to help comply with our legal obligations and to plan the provision of future services and be inclusive for everyone. Such analysis will not identify individual nor will it have impact an individual's entitlement to organisation services and facilities

## **4. Who your data is shared with**

The school is required to share pupils' data with other organisations where it is necessary to do so to comply with the law or where permitted under Data Protection legislation (Data Protection Act 2018) or the General Data Protection Regulation 2016/679).

Examples of third parties who we may share your information with include (but are not limited to):

- Department for Education (DfE)
- National Pupil Database (NPD) – which is owned and managed by the DfE
- Schools that our pupils go on to attend after leaving us
- Agencies that are prescribed by law – for example – social services, early help, NHS bodies (School Nurses), the police
- Our local authority – City of Wolverhampton Council and providers commissioned by the local authority
- Third parties/Contractors including Wolverhampton City Council, IT providers, Services 4 Schools who are contracted to support the Trust and its schools

We do not share information about you unless the law allows us to or where you have provided your consent.

### **Sharing with the Department of 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](#).

For more information regarding the data collection requirements placed on us by the DfE, go to <https://www.gov.uk/topic/schools-colleges-childrens-services/data-collection-statistical-returns>

For more information on how the DfE processes <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>

### **Sharing with other agencies**

The Trust puts agreements in place with partners we share with to ensure we all protect your data properly and are only sharing the minimum amount of data we need to provide you with a service.

Where we need to share sensitive or confidential information such as medical details, we will do so only with your permission or where we are legally required to for example information may be passed on to a medical professional in a medical emergency (to protect your child's vital interests).

We may share information with other agencies such as the local authority or Health bodies to prevent risk of harm to an individual, for example in the case of Safeguarding.

Your personal information may be shared with internal staff or with external partners and agencies involved in delivering services on our behalf that you have consented to using.

They will only have access to your information on a need to know basis, and your privacy and the security of the information is assessed when a new sharing partner is identified.

We may also share information with third party organisations such as insurers, solicitors who are acting on your behalf. This is usually done with your consent, unless there is a legal reason to share without your consent.

## 5. How we collect your data and from where

Face to face:	We may keep a record of your contact in order to assist on the delivery and improvement of the services we provide to you and others. Any such records that include any personal information will be kept securely.
Telephone calls:	Ordinarily we will inform you if we record or monitor any telephone calls you make to us. This is to increase your security, for our record keeping of the phone call and for training and quality purposes.
Emails:	If you email us we may keep a record of your contact and your email address for our record keeping. We will not include any confidential information about you in any email we send to you unless sent securely or you have agreed to us contacting you with this information. We would also suggest that you keep the amount of confidential information you send to us via email to a minimum.
On paper	You may complete assessment forms or request forms on paper that you send to us. You may write us letters and send these in on paper.
Online:	You may complete online forms, make requests, or make online payments to us through SIMs Pay.
On systems	We may log any information you provide to us on a computer system to help us keep track of your request, or any actions we need to complete. We may add your information to systems where we are required to by laws.
From other sources	We may receive information about you from other schools or agencies such as: <ul style="list-style-type: none"> <li>• Previous schools,</li> <li>• Examining bodies</li> <li>• Ofsted, Ombudsman and regulatory authorities</li> <li>• Local and central government - City of Wolverhampton Council or the DfE</li> <li>• Health bodies (NHS Trusts, GPs)</li> </ul>

	<ul style="list-style-type: none"> <li>• The Police</li> <li>• Other Local Authorities</li> </ul> <p>We will receive information about you either for a legal reason or because you have asked for your information to be shared with the school. Information can be provided to us by any of the other formats described in this section. We may add this information to our systems to record and hold it as part of your record within our school.</p>
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## 6. How your data is used

Information which you have provided the school will be stored securely. It will be used for the purposes stated when the information was collected, and not reused for different purposes, unless required to by law, and will not be sold on to others.

Your data will be placed on an appropriate system, such as SIMs pupil database, and used to provide or administrate that service. We may cross reference this data between systems the school holds and data that the local authority holds to keep your information as accurate and up to date as possible in line, with Data Protection best practice.

We will keep your information in line with legislation and guidance on records retention periods. We will not keep your information longer than it is needed. We will dispose of paper records or delete any electronic personal information in a secure way.

Sometimes we may ask you to complete assessments that result in an automated decision being made about you or your child, which could be seen as profiling. You can ask the school to explain the outcomes of any automated decisions made about you.

Automated decision-making means that a decision-making process is totally automated and excludes any human influence on the outcome. Profiling is where decisions are made about you based on certain things in your personal information, e.g. your health conditions, a social care status.

Article 22(1) of the GDPR limits the circumstances in which the School can make these automated decisions or profile you to the following:

- You have entered into a contract with the School and it is necessary for the performance of the contract
- A Union or Member state law applies
- You have given consent

If and when the School uses your personal information to profile you, in order to deliver the most appropriate service to you, you will be informed.

Your rights in relation to automated decision making and profiling are explained clearly by the Information Commissioners Office here: <https://ico.org.uk/your-data-matters/your-rights-relating-to-decisions-being-made-about-you-without-human-involvement/>

## 7. The Trust's and School's responsibilities

Everyone working for the Trust has a legal duty to keep information about you confidential and secure, for specific purposes and only for as long as necessary. Legislation and best practice guidance that we abide by is;

- Data Protection Act 2018
- The General Data Protection Regulation 2016/679
- Human Rights Act 1998
- Caldicott Principles relating to confidentiality.
- British Standard and International Standard (BS/ISO) 15489-Records Management
- IRMS Records Management Society
- Lord Chancellors Code of Practice on Records Management

Where we share information with other bodies or agencies, we will ensure the confidentiality and security of your data. This will normally be done by having a contract and confidentiality clauses in place. We also carry out data privacy impact assessment each time we start a new project, to help us build in security and privacy to protect your information.

We do not share your data with private companies, unless they have a contract with the Trust / school to provide a service on behalf of the school. For example, a company who will conduct a survey on the school's behalf can only use the data we give them for our survey and they must delete it after the work has been done.

For more detail on how we work within these guidelines please reference our Information governance policies here on the Trust website.

## 8. Your Data Rights

Under the Data Protection Act 2018 and General Data Protection Regulation 2016/679 you have rights of how your personal and special category (known as sensitive) information is used. Please see the Information Commissioners Office guidance on your rights here: <https://ico.org.uk/for-the-public/>

Parents and pupils have the following rights in relation to the processing of their personal data. You have the right to:

- Be informed about how the Trust / School uses your personal data.
- Request access to the personal data the School holds.
- Request that your personal data is amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling or legal reason for its continued processing.
- Request that the processing of your data is restricted, in some circumstances.
- Object to your personal data being processed, in some circumstances.
- Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

All requests can be made to the school through the School Office.

If you have any further queries/complaints about your data, please contact the Head of School in the first instance.

If you are still unhappy with the outcome of your query, you can contact the Schools Data Protection Officer (DPO), or the Information Commissioners Office (ICO).

Data Protection Officer	
Post	City of Wolverhampton Council Civic Centre St Peter's Square Wolverhampton WV1 1SH
Telephone	01902 554498 or 01902 555516
Email	<a href="mailto:schoolsIG@wolverhampton.gov.uk">schoolsIG@wolverhampton.gov.uk</a>

Alternatively, you can contact the UK's information regulator, the Information Commissioner's Office (ICO), contact information can be found on their website, [www.ico.org.uk](http://www.ico.org.uk)