

The Auriga Academy Trust

Privacy Notice – Pupil & Family

How the Trust and its schools use pupil information

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1 What this Privacy Notice is for

The Auriga Academy Trust and its constituent schools collect, hold, use and share information about pupils and their families. This is known as “personal data” and you have rights around that data, including knowing how and why the Trust and its schools are processing the data. “Processing” data means from collecting, storing, using, sharing and disposing of it.

For the purposes of Data Protection legislation, The Auriga Academy Trust is a data controller and is registered as such with the Information Commissioner’s Office.

2 The types of information that the Trust / school processes

- Your name, date of birth, unique pupil number, and contact details including your address
- attendance records (sessions attended, number of absences, absence reasons and any previous schools attended)
- behavioural information (such as exclusions and any alternative provision put in place)
- assessment and attainment (such as National curriculum assessment results)
- medical conditions the Trust / school needs to be aware of, including SEND, mental and physical health
- safeguarding information including notifications from the police, court orders and/or social care involvement
- For pupils enrolling for post 14 qualifications, the Learning Records Service will give the Trust the unique learner number (ULN) and may also provide details about your learning or qualifications.
- Destination data (this is information about what students do after leaving the school, for example, college, university, apprenticeship, employment)
- Post 16 learning information
- Extra-curricular and enrichment participation
- CCTV data
- Photographs of you
- Correspondence and complaints

3 Special category data (Sensitive information)

- characteristics (including ethnicity and language)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical information that the Trust / school needs to be aware of (including your Doctor’s information, child health, dental health, allergies, medication and dietary requirements)
- free school meal eligibility
- other funding (Pupil Premium, ESA, High Needs Funding and Catch Up Funding)

4 Why the Trust / school collects and uses your information

4.1 Pupil information

The Trust / school collects and uses your information:

- to support your learning
- to monitor and report on pupil attainment progress
- to provide appropriate pastoral care
- to assess the quality of Trust / school services
- to keep children safe
- photos are used for identification purposes (safeguarding), and celebration purposes (to record work, classes and school events)
- to meet the legal duties placed upon us by the Department for Education
- to comply with the law in general
- for site safety and security
- to protect against fraud
- to streamline systems

4.2 Family information

The Trust / school collect and use information about Trust / school pupils' families:

- to fulfil the Trust's / school's legal obligations
- for the admissions process
- for communication and reporting purposes
- for safeguarding and welfare purposes
- to keep families informed about events and emergencies
- to process payments
- to gather feedback about Trust / school work

Under the General Data Protection Regulation (UK GDPR), the lawful bases the Trust / schools rely on for processing-pupil and family information are:

- Article 6(a) – Your consent (for anything which does not fall into the purposes explained below)
- Article 6(c) - Compliance with Trust / school legal obligations as set out in the Education Act 1996 (as amended). The Trust is required to share information about its pupils with the (DfE) under regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. **In addition, there are extensive statutory obligations that a school is subject to – further details about these are available from the Trust's Data Protection Officer.**
- Being necessary for the Trust / school to carry out tasks that are in the Public Interest.

The ways the Trust collects and uses *sensitive* pupil and family information are lawful based on: your explicit consent; for compliance with certain legal obligations, or for exercising certain legal rights; for protecting a person's vital interests in an emergency; for health and public health reasons; or for carrying out tasks that are in the substantial public interest including for safeguarding purposes.

Please see the Trust's Special Category Data Policy document for full details of these lawful bases for processing this data.

4.3 Marketing purposes

Where a family member gives the Trust consent, the Trust may send them marketing information by text message or email, such as for promoting school events, campaigns or charities. Consent can be withdrawn at any time by contacting the Headteacher, school administrator or the central Trust Pupil Administration department.

4.4 Automated decision making & profiling

The Trust does not use any of your personal information to make automated decisions about you, or to profile you. If this changes in the future, privacy notices will be updated to explain both the processing and your right to object to it.

5 How the Trust / school collects pupil and family information

The Trust / school collects pupil information using admission forms completed by a parent/carer when a pupil joins a Trust school, data collection forms, CCTV cameras, information produced from Trust / school day-to-day interaction with pupils, and other information provided by; parents/carers, the previous school/provisions, local authorities, NHS, Police, the Department for Education (DfE) and by secure file transfer Common Transfer File (CTF).

A school will sometimes audio/ video record sessions/lessons/assessments for pupil or staff development and assessment. This will generate personal data including pupil images, names, contributions, and will be protected, processed, and retained in the same way as all personal data, in line with the school's Data Protection Policies and in accordance with other policies including Acceptable Use, Off Site Working and Bring Your Own Device policies, as well as the Trust's Retention Schedule.

Whilst most of the pupil information you provide to the Trust / school is mandatory, some of it is requested on a voluntary basis. The Trust / school will let you know, when it asks you for information, whether you are required to provide the information and your rights in relation to this.

6 How, where and for how long pupil and family information is stored

The Trust stores pupil information securely on the Trust's IT network. Local records are stored on the school's server which has 3-2-1 back up. The Trust also operates a Trust wide, cloud-based pupil management information system (ARBOR). Secure storage is provided for paper-based records.

The Trust only keeps the information for the length of time it needs it for, as shown in the Trust data retention schedule. For more information on data retention schedule, please visit the Trust website.

The Trust disposes of personal information securely when it is no longer need it.

7 Who The Trust / school shares pupil information with

The Trust / school routinely shares pupil information with:

- Schools that the pupils attend after leaving us
- The local authority
- Other relevant local authorities
- The Trust Board and Governing Body
- Work experience providers
- The Department for Education (DfE) Inc. Learner Record Services and the National Pupil Database
- Police
- NHS (agencies and services)/School Nurse
- External systems used by the school to carry out day to day processes and requirements. For example, the Trust management information system (ARBOR), and each school's pupil assessment database (e.g. Earwig).

8 International Transfers

Your personal information may be transferred outside the UK and the European Economic Area ('EEA'), including to the United States. Where information is transferred outside the UK or EEA to a country that is not designated as "adequate" in relation to data protection law, the information is adequately protected by the use of International Data Transfer Agreements and security measures, and other appropriate safeguards. For more information on international transfers please contact the DPO at the details below.

9 Freedom of Information Act and Environmental Information Regulations 2004

As a public body, The Trust / school is subject to requests made under the above legislation. However, the Trust / school will never disclose personal data in its responses to these requests where to do so would contravene the principles of data protection.

10 Why the Trust / school regularly shares pupil information

The Trust / school does not share information about its pupils with anyone without consent unless the law and Trust policies allow us to do so.

10.1 Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. The Trust is required to share information about its pupils with the Department for Education (DfE) either directly or via the 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 the DfE under a combination of software and hardware controls, which meet the current government security policy framework.

For more information, please see 'How Government uses your data' section.

10.2 Local Authorities

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

11. Requesting access to your personal data, and other rights

Under data protection law, pupils have the right to request access to information about them that the school / Trust holds, and in some cases, parents can make the request on the pupil's behalf, although this will be subject to the pupil's consent if they are deemed to be competent to understand the request and any implications.

Family members/carers also have the right to request access to information about them that the Trust / school holds.

You also have the right to:

- be informed about the collection and use of your personal data.
- have inaccurate personal data changed, or completed if it is incomplete.
- erasure, often known as the 'right to be forgotten'; however this does not apply where, amongst other things, processing is necessary to comply with a legal obligation.
- restrict the way the Trust / school is using your information, although, as above this is a limited right.
- object to the way the Trust / school is using your information; though other than for marketing purposes, this is also limited as above.
- Where the Trust / school relies on your consent to collect and use your data, you have the right to withdraw that consent. If you do change your mind, or you are unhappy with Trust / school use of your personal data, please let the Trust / school know – contact details are in section 2.14 at the end of this document.
- You also have rights in relation to automated decision making and profiling, though these are not currently relevant as the Trust / school does not carry out automated decision making or profiling.
- Finally, the right to complain about the way the Trust / school uses your personal information to the ICO, or to seek compensation through the courts

If you would like to request access to your data, or use any of the other rights listed above, please contact the school office in the first instance.

12 How Government uses your information

The pupil data that the Trust / school lawfully shares 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)

12.1 Data collection requirements

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>

12.2 The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

The 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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

12.3 Sharing by the Department

The law allows the Department to share pupils' personal 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/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, the DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 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 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>

12.4 Learner Records Service

The information you supply is used by the Learning Records Service (LRS). The LRS issues Unique Learner Numbers (ULN) and creates Personal Learning records across England, Wales and Northern Ireland, and is operated by the Education and Skills Funding Agency, an executive agency of the Department for Education (DfE). For more information about how your information is processed, and to access your Personal Learning Record, please refer to: <https://www.gov.uk/government/publications/lrs-privacy-notice>

12.5 How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

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

To contact DfE: <https://www.gov.uk/contact-dfe>

13 Last updated

The Trust may need to update this privacy notice periodically so it is recommended that you revisit this information from time to time. This version was last updated November 23.

14 Contacts

If you have a concern about the way the Trust / school is collecting or using your personal data or you would like to discuss anything in this privacy notice, please raise your concern with the Trust or school in the first instance.

Please contact the School Office, Headteacher, CEO or Finance Director or the Trust's Data Protection Officer.

Data Protection Officer (DPO): Education Data Hub (GDPR for Schools), Derbyshire County Council
DPO Email: gdprforschools@derbyshire.gov.uk

DPO Phone: 01629 532888

DPO Address: County Hall, Smedley Street, Matlock, Derbyshire, DE4 3AG

For the Department of Education (DfE):

Public Communications Unit,

Department for Education,

Sanctuary Buildings,

Great Smith Street,

London, SW1P 3BT

Website: www.education.gov.uk

<https://www.gov.uk/contact-dfe>

Email: <http://www.education.gov.uk>

Telephone: 0370 000 2288

If you are dissatisfied with any of the responses received to your concerns, you can of course contact the ICO quoting the Trust ICO registration number **ZA207911** and stating that the Data Controller is The Auriga Academy Trust.

Information Commissioners' Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

Fax: 01625 524 510

Website: <https://ico.org.uk/concerns/>