

The Auriga Academy Trust

Privacy Notice – Pupil & Family

How the Trust and its schools use pupil information

Contents:

1 What this Privacy Notice is for	2
2 The types of information that the Trust / school processes	2
3 Special category data (Sensitive information)	2
4 Why the Trust / school collects and uses your information.....	2
4.1 Pupil information	2
4.2 Family information	3
4.3 Marketing purposes	3
4.4 Automated decision making & profiling	3
5 How the Trust / school collects pupil and family information	3
6 How, where and for how long pupil and family information is stored.....	4
7 Who The Trust / school shares pupil information with.....	4
8 International Transfers	4
9 Freedom of Information Act and Environmental Information Regulations 2004.....	5
10 Why the Trust / school regularly shares pupil information.....	5
10.1 Department for Education	5
10.2 Local Authorities	5
11. Requesting access to your personal data, and other rights.....	5
12 How Government uses your information	6
12.1 Data collection requirements	6
12.2 The National Pupil Database (NPD)	6
12.3 Sharing by the Department.....	6
12.4 Learner Records Service	7
12.5 How to find out what personal information DfE hold about you	7
13 Last updated.....	7
14 Contacts	7

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
- characteristics such as ethnicity, language, religion and identity*
- 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, doctors’ information, dental health, allergies, medication and dietary requirements*
- safeguarding information including notifications from the law enforcement agencies e.g. 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
- your use of school /trust devices networks as part of the Trust’s safeguarding procedures
- free school meal eligibility*
- other funding (Pupil Premium, Employment and Support Allowance, Disability Living Allowance, High Needs Funding and Catch Up Funding)*
- information about any criminal convictions, offences and cautions*

Items marked with an asterisk * are particularly sensitive, and so are known as special category or criminal offence data. This includes data that the Department for Education advises the Trust treats as special category.

Some of the legal conditions for processing special category and criminal offence data require the Trust to have an Appropriate Policy Document (‘APD’) in place, setting out and explaining the Trust’s procedures for securing compliance with the data protection principles and to have policies regarding the retention and erasure of such personal data. This document is the Trust’s Special Category Data Policy Document and should be read alongside this Privacy Notice.

3 Why the Trust / school collects and uses your information

3.1 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 / Trust 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

3.2 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.**
- Article 6(d) - Being necessary for the Trust to protect your, or someone else's, Vital Interests (potentially lifesaving)
- Article 6(e) - 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 is lawfully based on Articles 9 and 10 of UK GDPR. Please see the Trust's Special Category Data Policy document for full details of these lawful bases for processing this data.

Where the Trust / school is processing your personal data with your consent, you have the right to withdraw that consent.

3.3 Marketing purposes

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

3.4 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.

4 How the Trust / school collects pupil and family information

The Trust / school collects pupil and family 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, law enforcement agencies e.g. 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 Trust's / 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.

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

The Trust stores pupil and family 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 / school securely disposes of personal information when it is no longer need it.

6 Who The Trust / school shares pupil information with

The Trust / school routinely shares pupil and family information with:

- Schools that the pupils attend after leaving their Trust school
- The local authority
- Other relevant local authorities
- The Trust Board and Governing Body
- Employers/training providers where references are requested
- Work experience providers
- Government bodies including, The Department for Education (DfE) Inc. Learner Record Services, the National Pupil Database, Teaching Regulation Agency and public health agencies.
- Exam boards
- law enforcement agencies e.g. police
- NHS (agencies and services)/School Nurse/immunisation provider
- External systems used by the Trust / school to carry out day to day processes and requirements. For example, and not limited to; the Trust management information system (ARBOR), and each school's pupil assessment database (e.g. Earwig).

7 School Immunisation Programme

The Trust / school will need to provide data to support immunisation programmes in schools. This includes:

- sharing information leaflets and consent forms with parents or carers
- providing a list of eligible children and young people, and their parent's or carer's contact details to the School Age Immunisation Service (SAIS) team

Sharing these contact details does not mean that a vaccine will be given. A parent or carer will need to give their consent for a vaccine to be given to their child.

There is a lawful basis for school / Trust to share information with school immunisation teams under article 6(1)(e) of UK GDPR. This states that the information can be shared if "processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller".

This means that the Trust / school can share this information with immunisation programmes as it is in the public interest.

Sharing information with immunisation programmes is part of the exercise of a school's official authority. Schools also have a duty to support wider public health.

Data protection laws do not prevent the Trust / school from sharing personal data where it is appropriate to do so in a fair and lawful way, and in this instance, it is beneficial to do so.

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 and families information

The Trust / school does not share information about its pupils and families with anyone without consent unless the law and Trust policies allow it 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 and families with the local authority to ensure that they can conduct their statutory duties under

- the Schools Admission Code, including conducting Fair Access Panels.
- safeguarding of children/young people
- promoting the education, employment and training of young people which requires the exchange of data and the use of information not otherwise available to either organisation.
- census data.
- to identify where pupils have transferred to make the task of tracking vulnerable pupils more secure and also to ensure appropriate services are extended to pupils needing additional support e.g., for reasons of health, exclusions, attendance or transport.

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 data

The pupil data that the Trust / school lawfully shares with the DfE through data collections:

- underpins school / Trust 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)

For all information relating to how the DfE uses student information please visit: [How DfE shares personal data GOV.UK](#)

For all information relating to how the DfE uses parent, carer and legal guardian information please visit: [Privacy information: parents, carers and legal guardians - GOV.UK](#)

12.1 Your information rights under UK General Data Protection Regulation (UK GDPR) when the Department for Education collects your personal data

UK General Data Protection Regulation (UK GDPR) gives you certain rights about how your information is collected and used. The Department for Education (DfE) must have a valid reason to collect your personal data. These reasons are called the lawful basis in UK GDPR. You have different rights depending on the DfE's reason to collect your personal data.

For more information, please visit: [Your information rights under UK GDPR - GOV.UK](#)

12.2 Data collection requirements

To find out more about the data collection requirements placed on the Trust by the Department for Education (for example; via the school census) go to

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

12.3 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-npd-privacy-notice/national-pupil-database-npd-privacy-notice>

12.4 Sharing by the Department

The law allows the Department to share pupils' and family 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 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/dfе-external-data-shares>

12.5 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>

12.6 How to find out what personal information DfE hold 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, 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 the 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 May 25.

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 COO 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/>