

## Privacy Notice for Pupils

### Who we are:

You have a legal right to be informed about how our Trust uses any personal information that we hold about you. This privacy notice explains how we collect, store and use personal data. North Essex Multi Academy Trust (NEMAT) is the data controller of the personal information you provide to us. This means the Trust determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed.

Our Data Protection Officer is Tania Dynowska (see contact us below)

### The types of pupil information that we collect, hold and share to help you learn and to look after you in school include:

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Images (such as photographs and CCTV images)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment and examination information
- Welfare information
- Relevant medical information
- Special educational needs information
- Exclusions / behavioural information
- Post 16 learning information.

### Why we collect and use this information

We use the pupil data:

- To look after your welfare
- to support your learning
- to monitor and report on your progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to get in touch with you and your parents when we need to

### The lawful basis on which we use this information

We legally collect, store and use personal data relating to pupils and their families in order to meet legal requirements and legitimate interests as detailed under the General Data Protection Regulations (GDPR) and UK Law:

- We need to comply with the law
- We need to use it to carry out a task in the public interest (in order to provide you with an education)

Sometimes, we may also use your personal information where:

- You or your parents/carers have given us permission to use it in a certain way
- We need to protect your interests (or someone else's interest)

Where we have your permission to use your data, you or your parents/carers may withdraw this at any time. We will make it clear when we ask permission, and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds for which mean we can use your data.

### **Collecting pupil information**

The majority of information you provide to us is necessary and we must collect it but some of it is provided to us on a voluntary basis. In order to comply with the 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. We will always tell you if it is optional.

### **Storing pupil data**

We will keep personal information about you while you are at our school and after you have left, where we are required to by law. We use the Information Records Management Toolkit that details how long we must keep information about pupils. Please contact the Data Protection Officer if you would like to see it or find it at

[Information and Records Management Society's toolkit for schools](#)

### **Who we share pupil information with**

We routinely share pupil information with the following where the law and our policies allow us to do so:

- Central and local Government
- The Department for Education (DfE)
- Your family and representatives
- Educators and examining bodies
- Health Authorities
- Suppliers and service providers- so that they can provide the services we have contracted them for
- Financial organisations
- Our auditors
- Survery and research organisations
- Security Organisations
- Health and Social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts and tribunals
- Professional bodies

## **We share pupil information**

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

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

### **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>.

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.

The law requires us to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

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

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

## **Youth support services**

### **Pupils aged 13+**

Once our pupils reach the age of 13, we also pass pupil information to 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 services as follows:

- youth support services
- careers advisers

A parent or guardian can request that **only** their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once he/she reaches the age 16.

### **Pupils aged 16+**

We will also share certain information about pupils 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 services as follows:

- post-16 education and training providers
- youth support services
- careers advisers

For more information about services for young people, please visit our local authority website.

## **Requesting access to your personal data**

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact Ms T Dynowska (see contact us below)

If we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you or your parents
- Tell you who it has been, or will be, shared with
- Let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person)
- Give you a copy of the information

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 officer.

### **Your other rights over your data**

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

- Say that you don't want it to be used if this would cause, or is causing, harm or distress
- Stop it being used to send you marketing materials
- Say that you 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
- Claim compensation if the data protection rules are broken and this harms you in some way

### **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 have done something wrong.

You can make a complaint at any time by contacting our data protection officer.

You can also complain to the Information Commissioner's Office in one of the following ways:

- 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

### **Contact Us**

If you would like to discuss anything in this privacy notice, please contact:

Ms T Dynowska either by post to the Trust, by email [DPO@nematrust.com](mailto:DPO@nematrust.com) or by phone 01376 556365. Data Protection Officer