

## 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)
- Safeguarding information (such as court orders and professional involvement)
- 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

This list is not exhaustive

### 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 interests)

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 which justify our use of this data.

### **Collecting pupil information**

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us. 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:

<https://irms.org.uk/page/SchoolsToolkit>

### **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)
- Youth Support Services (Pupils aged 13+)
- 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
- Survey 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 you with anyone without consent unless the law and our policies allow us to do so.

We are required to provide information about you to the Department for Education as part of statutory data collections such as the school census, 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, please see 'How Government uses your data' section.

## **Local Authorities**

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the [Schools Admission Code](#), including conducting Fair Access Panels.

## **How Government uses your data**

The pupil data that we lawfully share 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)

## **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>

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of places including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

## **Youth support services**

### **Pupils aged 13+**

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to our Youth Support Services, as it has legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

### **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.

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Parents/Carers, or pupils once aged 16 or over, can contact our Data Protection Officer to request that we only pass the individual's name, address and date of birth to them.

## **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 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 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>

## 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>

## Pupils' rights regarding personal data

Under GDPR Pupils have the right to see what information we hold about them. To make a request for your personal information, or be given access to your child's educational record, contact Ms T Dynowska, Data Protection Officer, either by post to the Trust, by email [tania.dynowska@nematrust.com](mailto:tania.dynowska@nematrust.com) or by phone 01376 556365.

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.

## 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 do not 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 do not 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, Data Protection Officer, either by post to the Trust, by email [tania.dynowska@nematrust.com](mailto:tania.dynowska@nematrust.com) or by phone 01376 556365.