

Privacy Notice (How we use pupil information)

The Aspire Educational Trust and its academies are joint data controllers for the use of personal data in this privacy notice. This privacy notice advises parents, carers and guardians of our data protection responsibilities on the collection and processing of pupils' personal information. You are being provided with this notice because you can exercise your child's data protection rights on their behalf. Current guidelines state that when your child is older (usually when they reach the age of 13) they may be considered mature enough to exercise their own data protection rights.

The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, date of birth, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, pupil premium and free school meal eligibility)
- safeguarding information (such as court orders, referral and assessment information and professional involvement)
- special educational needs
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as Early Years Foundation Stage Profile, key stage 1, key stage 2 and phonics results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- admissions (such as information relating to entitlement to early years funding including parent or carer's national insurance number)

Information is also held about you as the parent or guardian of a pupil. This information is held under a legal obligation to ensure that we can contact you. Such information includes:

- Your name and address
- Contact telephone number(s)
- Email address
- Alternative emergency contact details

This list is not exhaustive, to access the current list of categories of information we process please see the school's current data map and data asset register, available on request from the school office. Contact details are available on the school website or alternatively e-mail the trust's data protection officer dpo@aet.cheshire.sch.uk.

A - Aspiration

We aspire to lead the way and achieve success for all

B - Believe

We have faith and confidence in the Trust, our schools, our colleagues and ourselves

C - Community

We work as a team - getting stuck in getting the job done!

Why we collect and use pupil information

The personal data collected is essential, for the trust and its academies to fulfil their official functions and meet legal requirements.

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe
- f) to meet the statutory duties placed upon us by the Department for Education

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information are:

- Consent.
- For the performance of a contract.
- To comply with a legal obligation.
- To protect the vital interests of the pupil or another person.
- For a task carried out in the public interest.
- For a legitimate interest of the school or one of the organisations, it shares data with (e.g. legal adviser) except where those rights are overridden by the interests or fundamental rights and freedoms of the data subject, which require protection, particularly in the case of a child.

Sometimes the handling of pupils' personal data falls within several of the above lawful grounds.

Consent

We may ask for your consent to use your child's information in certain ways. For example, we may ask to use their image for different purposes. If we ask for your consent to use your child's personal data, you can take back this consent at any time. Any use of your child's information before you withdraw your consent remains valid.

Performance of a contract

On some occasions, the school will process pupils' personal data for the performance of a contract.

Legal obligation

This is where we need to use pupils' personal data to comply with a legal obligation.

Statutory reporting requirements to the Department for Education (DFE) are included within this section. As is disclosing information to third parties such as the courts or the police where we are legally obliged to do so.

Vital interests

This legal basis is used where, for example, we need to disclose information about pupils to prevent them or someone else from being seriously harmed or killed. An example can include providing

information to a medical professional about a pupil in circumstances where they are unable to provide the information themselves or you are unable to. It may cover an emergency.

Public interest

We consider that we are acting in the public interest when providing education. Specifically, we have a public interest in:

- Providing an education.
- Fulfilling our safeguarding obligations and investigating complaints that may be directly connected with you or may require access to your personal data when investigating complaints by others.
- Promoting the interests of the school.
- Managing the school efficiently.

Legitimate interests

We have legitimate interests for which we hold, retain, process and share pupils' personal data. The GDPR states that the exception to using this ground is where it is detrimental to a pupil's rights.

Special categories of personal data

We must also comply with an additional condition where we process special categories of personal data. These special categories include personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

Some of the reasons we process such data on pupils include:

- Legal claims. The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisers and insurers.
- Medical purposes. This includes medical treatment and the management of healthcare service.
- For compiling census data as required by law.
- Where processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health such as Covid-19.

In addition, we process in a similar way some sensitive information about children that is not set out in legislation as a 'special category personal data'. This sensitive information includes children's services interactions, free school meal status, pupil premium eligibility, elements of special educational needs information, safeguarding information and some behaviour data.

Special category personal data and sensitive information about children are processed in accordance with [GDPR - Article 9 and documented on our data asset register.](#)

Automated decision-making and profiling

We do not make automatic decisions or undertake automated decisions regarding individuals to evaluate certain information about an individual (profiling).

Collecting pupil information

We obtain personal data in a variety of ways. Some of the information comes from the registration forms you supply to us when your child joins the school or from a Common Transfer File or secure file transfer from a previous school or setting. We also receive information about pupils from other agencies, such as the local authority and healthcare professionals. Data is also obtained from your child and their teachers.

Pupil data is essential for the school's operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it is 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.

Storing pupil data

We take the security of pupils' personal data very seriously. We have internal policies and controls in place to try to ensure that data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

Where we engage third parties to process personal data on our behalf, they do so based on written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit our data protection policies available [HERE](#) on The Aspire Educational Trust's website.

Who we share pupil information with

We routinely share pupil information with:

- The Local Authority for the school, including Social Care and SEND teams
- The Department for Education (DfE)
- Aspire Educational Trust and schools within the trust
- NHS, including the school nurse
- Schools that pupils attend after leaving us

In addition to this, we regularly share information with a number of contracted third parties in order to carry out our public task of running the trust and its schools safely and effectively. A list of these third party processors can be found on our current data map and data asset register. These documents are available on request from the school office. Contact details are available on the school website or alternatively e-mail the trust's data protection officer dpo@aet.cheshire.sch.uk.

Why we regularly 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 DfE on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

Pupils' data, where it is reasonable to do so, may also be shared with other professionals such as health professionals and advisers in order to meet the individual needs of our pupils.

In addition, we have contracts with third parties for IT services or as part of cloud based storage applications for the purpose of securely holding and protecting your data. We also subscribe to online learning platforms that provide children with engaging personalised learning programmes. Before entering into a contract, we ensure that adequate policies and security measures are in place.

Here are some further examples of why we collect, hold and share pupils' personal data. If you would like more information about any of these, please contact our Data Protection Officer

dpo@aet.cheshire.sch.uk .

- We may need to share information about your child's health and wellbeing with those who have responsibility for pupil welfare.
- We need to tell all appropriate members of staff if your child has specific medical needs.
- We need to tell all appropriate members of staff if your child might need extra help with some tasks.
- Sometimes we need to share information with the police or our legal advisers to help with an inquiry. For example, safeguarding issues or injuries.
- We might need to share pupils' information with consultants, experts and other advisers who assist us in the running of the school, if this is relevant to their work.
- We may need to share some information with our insurance provider to ensure we maintain cover or to process any claims.
- We may need information about any court proceedings or judgements concerning your child. This is so that we can safeguard your child's welfare and the welfare of other pupils at the school.
- Where we have CCTV in operation, we need to monitor data to make sure the school sites are safe.
- We may use photographs or videos of your child on our website, social media sites, newsletters and publications as part of our marketing of the school. We would always have sought your consent before doing this.

Personal data is always transferred securely using tools such as encryption.

Department for Education

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 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.

Requesting access to your personal data

Under GDPR, 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 the school's principal (contact details can be found on the website) or the trust's Data Protection Officer at dpo@aet.cheshire.sch.uk.

Depending on the lawful basis above, you may also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- a right to seek redress, either through the ICO, or through the courts

There are specific rights in relation to a child's personal data. Further guidance and advice on the above rights can be obtained from the ICO's website <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance at dpo@aet.cheshire.sch.uk or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

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.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the school's principal (contact details can be found on the website) or the trust's Data Protection Officer at dpo@aet.cheshire.sch.uk.

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 11th March 2021.

Contact

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

Trust's administrator A. Broadhurst or **the Trust's Data Protection Officer L. Treadway**

The Aspire Educational Trust
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Belgrave Road
Macclesfield
SK11 7TF

dpo@aet.cheshire.sch.uk
ltreadway@aet.cheshire.sch.uk

Tel. 01625 919610

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>

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>

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>