

# ACES ACADEMIES TRUST

*Aspiration Creativity Excellence Success*



## Privacy Notice for Pupils

Approved by:	HR & Administration Manager
Date:	February 2022
Last reviewed on:	August 2020
Next Review due by:	February 2025

## **Privacy notice for pupils**

Individuals have a legal right to be informed about how our Trust and our schools use any personal information that we hold about them. To comply with this, we provide a 'privacy notice' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about pupils.

We, ACES Academies Trust are the 'data controller' for the purposes of data protection law. For the purposes of this notice, data protection law refers to UK General Data Protection Regulation and the Data Protection Act (2018).

Our data protection officer is The ICT Service (see 'Contact us' below).

### **The personal data we hold**

We hold some personal information about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too – like other schools, the local council and the government.

This information includes:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Behaviour information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school
- Data about use of the school's information and communications system

We may also hold data about students/pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

### **Why we use this data**

We use this data to help run the Trust and its schools, including to:

- Support student/pupil learning
- Monitor and report on student/pupil progress
- Provide appropriate pastoral care
- Protect student/pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists

- Carry out research
- Comply with the law regarding data sharing and DfE duties placed on us for data collections.

### **Our legal basis for using this data**

We will only collect and use pupil's personal information when the law allows us to. Most often, we will use personal information where:

- 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:

- The pupil, or 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 got permission to use pupil's personal data from the pupil or their parent/guardian, consent may withdraw this at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent.

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

### **Our basis for using Special Category data:**

For 'Special Category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK General Data Protection Regulation and the Data Protection Act (2018):

- We have obtained explicit consent to use the special category personal data in a certain way.
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law.
- We need to protect an individual's vital interests (i.e. protect a child's life or someone else's life), in situations where they are physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by the data subject.
- We need to process it for the establishment, exercise or defence of legal claims.
- We need to process it for reasons of substantial public interest as defined in legislation.
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law.
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained consent to use it in a specific way.
- We need to protect an individual's vital interests (i.e. protect a child's life or someone else's life), in situations where they are physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by the data subject.
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights.

- We need to process it for reasons of substantial public interest as defined in legislation.

### **Collecting this information**

We collect and generate pupil information in a variety of ways including, but not limited to:

- Registration and application forms
- MIS (Management Information System) Data collection
- Via Common Transfer File or secure file transfer from a previous school
- In the process of carrying out our public task

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from a pupil or parent/carer, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

### **How we store this data**

We keep personal information about students/pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. We keep and dispose of personal data according to the Trust Data Retention Schedule.

### **Data sharing**

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

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Our Local Authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions and to ensure that it can carry out its statutory duties.
- Schools our pupils are moving to – to help us support our pupils who are moving to another school by easing the transition process.
- The Department for Education – to meet our legal obligations to share certain information with it.
- The pupil's family and representatives – to provide regular reports on the pupil's progress and to ensure the pupil's safety whilst at school.
- Educators and examining bodies – to meet our legal obligations and allow the pupil to be entered for assessments.
- Ofsted – to meet our legal obligations.
- Suppliers and service providers – to enable them to provide the service we have contracted them for.
- Survey and research organisations – to help us fulfil our public task.
- Health authorities – to meet our legal obligation to keep our pupils safe.
- Health and social welfare organisations – to meet our legal obligation and to protect the pupils.
- Professional advisers and consultants – to help us fulfil our public task.
- Charities and voluntary organisations - to help us fulfil our public task and to protect the pupils.
- Police forces, courts, tribunals – to meet our legal obligations to share information with them.

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside the United Kingdom, we will do so in accordance with data protection law.

### **National Pupil Database**

We are required to provide information about pupils to the Department for Education (a government department) as part of data collections such as the school census and early years census.

Some of this information is then stored in the [National Pupil Database](#), which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

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

You can find more information about this on the Department for Education's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) if you have any questions about the database.

### **Parents and pupils' rights regarding personal data**

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If a subject access request is made, and if we do hold information about the individual, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

Parents/carers also have a legal right to access to their child's **educational record**. To request access, please contact or HR Manager, [HR@acesmat.uk](mailto:HR@acesmat.uk).

### **Other rights**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing

- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

These rights can be exercised by a Parent / Carer on behalf of a child on the same basis that they may make a Subject Access Request.

To exercise any of these rights, please contact our HR Manager, HR@acesmat.uk.

## 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've done something wrong.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance by contacting our HR Manager, at HR@acesmat.uk.

You can also contact our Data Protection Officer:

The ICT Service

Email: [dpo@theictservice.org.uk](mailto:dpo@theictservice.org.uk)

Tel: 0300 300 0000

Address: Speke House, 17 Compass Point Business Park, Stocks Bridge Way, St Ives, Cambs PE27 5JL

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 have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our HR Manager:

- Sarah Spira, ACES Academies Trust, Hinchingsbrooke School, Huntingdon, PE29 3BN.  
HR@acesmat.uk

*This notice is based on the [Department for Education's model privacy notice](#) for pupils, amended to reflect the way we use data in this Trust.*