

PRIVACY NOTICE FOR PARENTS/CARERS

Under data protection law, individuals have a right to be informed about how we, Horizons Specialist Academy Trust (“the Trust”) uses any personal data that we hold about them. We comply with this right by providing ‘privacy notices’ (sometimes called ‘fair processing notices’) to individuals where we are processing their personal data.

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

We, Horizons Specialist Academy Trust, are the ‘data controller’ for the purposes of data protection law.

Our Data Protection Officer is Alison Ascough (see ‘Contact us’ below).

The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Personal identifiers and contacts (such as name, unique pupil number, contact details and preferences, date of birth, identification documents)
- Characteristics (such as ethnicity, language, eligibility for free school meals, or special educational needs information)
- Safeguarding information (such as court orders and professional involvement)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment and attainment results
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Photographs/videos
- CCTV images
- Biometric data (only for use at one academy for provision of school meals)

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

Why we use this data

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Keep children safe
- Assess the quality of our services
- Administer admissions waiting lists
- To meet the statutory duties placed upon us for DfE data collections

Our legal basis for using this data

Under the UK General Data Protection Regulation (GDPR) 2018, the legal bases relied on for processing personal information are as follows. Most commonly, the Trust uses this information when it is a necessity, i.e.

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained explicit consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

Collecting this information

We collect pupil information via different means, ie registration forms at the start of the school year, Common Transfer File/secure transfer file from previous schools.

Pupil data is essential for the academies' operational use. Whilst the majority of pupil information provided 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 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.

How we store this data

We keep personal information about pupils while they are attending our academies. We may also keep it beyond their attendance at our academies if this is necessary in order to comply with our

legal obligations. Our Records Management Policy sets out how long we keep information about pupils. If you would like a copy, please contact the DPO (see 'Contact Us' below) and a copy can be emailed or posted out to you.

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:

- Relevant local authorities – to meet our legal obligations to share certain information, such as safeguarding concerns and exclusions
- The Department for Education – 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. This data sharing underpins school funding and educational attainment policy and monitoring (see below)
- The pupil's family and representatives
- Educators and examining bodies
- Our regulator [eg Ofsted]
- Suppliers and service providers – to enable them to provide the service we have contracted them for, eg the suppliers of management information systems, school trips and visits
- Central and local government
- Health authorities
- Health and social welfare organisations, including the NHS and School Nursing Service for medical screening, immunisation, child measurements and other health and behaviour related services
- Professional advisers and consultants
- Courts and tribunals
- Emergency services, including police and security organisations for the detection and prevention of terrorism
- Professional bodies

Youth support services

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to Youth Directions as it has legal responsibilities under section 507B of the Education Act 1996 regarding the education or training of 13-19 year-olds.

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

Parents/carers, or pupils once aged 16 or over, considered mature enough to understand their rights over their data, can contact our Data Protection Officer to request that we only pass the individual's name, address and date of birth to Youth Directions.

Department for Education (DfE)

The 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 DfE either directly or via relevant local authorities for the purpose of those data collections, under regulation 5 of The Education (Information About Individual Pupils)(England) Regulations 2013.

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 and 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 one 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>

Transferring data internationally

In the event that we need to transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

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 Trust 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 13), 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 Trust holds about them.

If you make a subject access request, and if we do hold information about you or your child, 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.

If you would like to make a request please contact our Data Protection Officer. Please note, any subject access requests will be actioned within one month, unless it is particularly complex, however during the school holidays this may be more difficult as some staff who are holding data may not be in school.

Other rights

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

- Withdraw consent where consent has previously been given
- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used for direct marketing purposes
- 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

To exercise any of these rights, please contact our Data Protection Officer.

Complaints

We take any complaints about our collection and use of personal information very seriously.

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.

To make a complaint, please contact our Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- 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 **Data Protection Officer**:

- Alison Ascough, Horizons Specialist Academy Trust, Ketton Road, Stockton on Tees, TS19 8BU. Tel: 01642 677113. Email: DPO@horizonstrust.org.uk

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