



GREENWOOD ACADEMIES TRUST

Privacy Notice for Pupils and Parents

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The Greenwood Academies Trust (GAT) is a data controller for the purposes of the General Data Protection Regulation (GDPR) 2018.

The Trust Data Protection (DPO) can be contacted on:

dataprotection@greenwoodacademies.org

The Trust collects personal information on all pupils at all its Academies, including children who are defined in law as children in need or those who are looked after by the Local Authority (LA).

Why do we collect and use your information?

We collect and use personal data in accordance with legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Articles 6 and 9 of the GDPR
- The Education Act 1996
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

In accordance with above, we use this information to:

- support a pupil's learning;
- monitor and report on a pupil's progress;
- provide appropriate pastoral care;
- assess the quality of our services; and
- comply with the law regarding data sharing.

What data is collected?

In line with Article 6 of the Regulation, the Greenwood Academies Trust considers the processing of the following information to be in the public interest and therefore consent forms are not considered necessary:

- Pupil details – name/DOB/address/SEN needs/allergies/health data etc
- Parent details – names/contact information/address/relationship to pupil etc
- Staff details – names/addresses/contact information/salary/contracts/next of kin
- Behaviour – assessments/census data etc
- General school business – attendance/lesson planning/contact with parents etc
- Pupil images – for use in Academy management systems and for monitoring or educational uses e.g. curriculum subjects requiring video and photographs to be submitted to external examiners.

Other categories of pupil information collected, held and shared include:

- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Exclusions/behavioural information
- Post-16 learning information

The Trust may also receive information about pupils from their previous school(s) and the Learning Records Service. If pupils are enrolling for Post-14 qualifications, the Learning Records Service will inform the Academy of their unique learner number (ULN) and may also give details about their learning or qualifications.

In collecting, using, storing and disposing of data, the Trust or Academy will comply with the requirements of the GDPR that govern the processing of personal data. Under these requirements, the information will be collected and used fairly, stored safely and not disclosed to any other person where to do so would be in breach of those requirements or would otherwise be unlawful.

Lawful Basis for Processing

As stated previously, the majority of information provided to the Trust comes under Article 6 (e) of 'performance of a task carried out in the public interest' and is therefore mandatory. We also process information where:

- a) the data subject has given consent for one or more specific purposes
- b) processing is necessary in order to protect the vital interests of the data subject or another natural person (medical information, for example)

When collecting data on a voluntary basis, the Academy will inform parents/carers whether they are required to provide this data or if consent is needed. Where consent is required, the Academy will provide specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

For the processing of any special categories of personal data (including racial or ethnic origin, religious or philosophical beliefs and the processing of health data, genetic or biometric data), specific conditions as stated in Article 9 (2) of the General Data Protections Regulations must also apply. These include:

- c) The data subject has given explicit consent to the processing of such personal data;
- d) Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- e) Processing is necessary for the purposes of preventative or occupational medicine and the provision of health care or treatment; and
- f) Processing is necessary for the exercise or defence of legal claims.

In addition, for Secondary Academies only

Once a pupil is aged 13 or over, the Trust is required by law to pass on certain information to providers of youth support services and careers advisors in the local area. This is the LA support service for young people aged 13 to 19 in England. We must provide the names and addresses of pupils and their parent(s), and any further information relevant to each support service role. We may also share data with Post-16 providers to secure appropriate support on entry to Post-16 provision.

However, parents/carers can ask that no information beyond names, addresses and a pupil's date of birth be passed to the support service. This right transfers to an individual pupil on their 16th birthday. Parents, or pupils who reach the age of 16, must inform the Academy if they wish to opt out of this arrangement. For more information about young people's services, please visit:

<https://nationalcareersservice.direct.gov.uk/aboutus>

Photographs and Film

Occasionally, the Trust may photograph or film pupils undertaking Academy activities. We may use the photographs or films either within or outside of Trust/Academy buildings. We would always seek consent for these purposes.

Pupils will always be made aware if they are being photographed or filmed, what the purpose of this is and will be given the opportunity to object.

Where the relevant consent has been obtained, photographs and films may be:

- used on displays, in presentations and in publications.
- used on the Virtual Learning Environment, websites and on social media sites which can be viewed throughout the world and not just in the United Kingdom where UK law applies.
- supplied to the media for use in newspapers and magazines and on TV, websites or social media sites.

Under GDPR guidelines, children aged 13 or over are now able to provide their own consent for the processing of personal data (including subject access requests, photographs etc). To clarify, personal data belongs to the individual identified within it, ie the pupil themselves.

After legal advice, it is Trust policy to apply this for pupils in Year 9 and above. Therefore, for pupils in that year group and above, consent will be sought directly from the data subject.

Please refer to the Trust Photo and Video Consent Form, available in all Academies, for more detailed information.

How long is your data stored for?

Personal data relating to pupils and their parents/carers is stored in line with ICO guidelines as detailed in the Trust's Data Protection and Record Managements policies. In accordance with the GDPR, the Trust does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

Will my data be shared?

The Trust will not share information about our pupils with any third parties without consent, unless the law and our policies allow us to do so. Academies routinely share pupils' information with:

- Pupils' destinations upon leaving the school
- The LA
- The NHS
- The DfE
- Focus Trust
- Examination Boards

The Trust also has a Data Sharing Agreement with relevant Local Authorities through an automated and secure data exchange process. This is central to the success of integrated working across Trust Academies and the LA MIS systems, thus maintaining reliable and accurate pupil and school records.

We are required by law to pass some information about pupils to the Department for Education (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013; this, in turn, will be available for the use of the LA. We share pupils' data with the Department for Education (DfE) on a statutory basis; this underpins school funding and educational attainment policy and monitoring.

The National Pupil Database (NPD) is managed by the DfE and contains information about pupils in schools in England. The Trust is required by law to provide information about our pupils to the DfE as part of statutory data collections, such as the school census; some of this information is then stored in the NPD.

The DfE may share information about our pupils from the NPD with third parties who promote the education or wellbeing of children in England by:

- Conducting research or analysis.
- Producing statistics.
- Providing information, advice or guidance.

The DfE has robust processes in place to ensure the confidentiality of any data shared from the NPD is maintained.

Under schedule 2, part 1 of the Data Protection Act 2018 and article 6 (1) (d) of the GDPR, the Trust may need to disclose personal data with local police services for the purposes of the prevention or detection of crime, the apprehension or prosecution of offenders and to protect the vital interests of an individual.

A full list of the external parties and suppliers who we share pupils' data with, and the type of data that is shared, is shown in the Privacy Notice Appendix 1 on the individual Academy website and is also available from the individual Academy office.

Further information

If you need more information about how the LA and DfE store and use information, then please go to the following websites:

- **Local Authorities:**

www.centralbedfordshire.gov.uk
www.leicester.gov.uk
www.lincolnshire.gov.uk
www.northamptonshire.gov.uk
www.nottingham.gov.uk
www.nottinghamshire.gov.uk
www.peterborough.gov.uk

- **Department for Education:**

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

Department for Education:

Public Communications Unit
Department for Education
Sanctuary Buildings
Great Smith Street
London SW1P 3BT

Email: <http://www.education.gov.uk/help/contactus>
Telephone: 0370 000 2288

Requesting access to your personal data

Under the 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 to be given access to your child's educational record, please contact your Academy office or the Trust DPO.

You 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
- claim compensation for damages caused by a breach of the Data Protection regulations.

Withdrawal of consent

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time. Please contact your Academy office to complete a 'Withdrawal of Consent for Personal Data' form.

Any concerns?

If you have a concern about the way the Trust or an individual Academy is collecting or using your personal data, we request that you raise your concern with us in the first instance. Either contact the Trust DPO at *dataprotection@greenwoodacademies.org* or the individual Academy office.

Alternatively, you can contact the Information Commissioner's Office (ICO) at <https://ico.org.uk/concerns>. They can also be contacted on 0303 123 1113 (Monday-Friday 9am-5pm).