

Privacy Notice (How we use pupil information)

Introduction

Coast Academies consists of three Academies serving the needs of over 1300 children in Torbay. Coast Academies recognises how important it is that you are fully aware of the information we collect and hold about our pupils, parents and staff and how we share that information. Coast Academies is the 'data controller' for the purposes of data protection law.

This privacy notice is to help you to understand how and why we collect personal information about you, your children and what we do with that information. If you have any questions about this notice please contact the Coast Academies Data Protection Officer on dataprotection@coastacademies.org.uk

To ensure that your information is kept confidential and that our data is kept safe and secure, all our staff are given training in the GDPR.

What is personal and sensitive data

Personal information is information that identifies you as an individual and relates to you. This includes:

- Name;
- Address;
- Email address;
- Photographs;
- IP addresses;
- Location data;
- Profiling and analytics data; and
- Online cookies.

Personal Sensitive Data is an additional category of data and consists of more in depth data such as:

- Race;
- Trades union membership;
- Religion;
- Political opinions;
- Sexual orientation;
- Health information;
- Biometric information;
- Genetic data.

Anonymised and pseudonymised data

As well as personal confidential data, Coast Academies uses the other categories of data which are designed to improve the safety of the individuals that it refers to. These categories are as defined below:

- **Anonymised data** – where unique identifiers such as your name and full address have been removed so the information is no longer person identifiable; and
- **Pseudonymised data** – where personal information about you is replaced with a unique code. We retain the key to the code so would know which person this information relates to, but a third party who we shared this data with would not. This is often used, for example, when information is needed for research purposes

Where possible, we will ensure that your information is anonymised or pseudonymised to protect the identities of the individuals.

Why we collect and use personal information

In the course of its activities, Coast Academies is required to collect personal confidential data in order to fulfil its statutory obligations which is to provide educational services to your children. We use personal data for the following:

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

Categories of pupil information that we collect, hold and share

Below is a list of the different ways which we use personal information and where this personal information originates:

- We obtain information about you from admissions forms and from your child's previous school. We may also obtain information from professionals such as doctors, educational professionals and from local authorities.
- Personal characteristics such as gender, ethnicity, language, nationality, country of birth and free school meal eligibility.
- Information relating to family circumstances which may effect your child's welfare and happiness including safeguarding information and/or details relating to court orders or criminal petitions that relate to you. This is to ensure that we can safeguard the welfare and well-being of your child and the other pupils within Coast Academies.

- Attendance information (such as sessions attended, number of absences and absence reasons).
- CCTV information to ensure that the public areas of the schools in Coast Academies remain safe. (CCTV is not used in private areas such as toilets).
- We may take photographs or videos of the students to use on social media and on the school website. This is to show prospective parents and pupils what we do at the school and for promotional purposes, we may continue to use these photographs and videos after your child has left the school. Consideration will always be given to any safeguarding concerns when using these images and all parents have the right to object to the use of images.
- We ask for specific consent for use of photographs or videos of the pupils unless for internal use as part of assessment or school management systems.
- We may also be requested to send through information for research and statistical purposes. If this is to be completed, anonymised data will be used.
- Personal information (such as name, unique pupil number and address).
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility).
- Attendance information (such as sessions attended, number of absences and absence reasons).

The lawful basis on which we process this information

All data is processed in line with the General Data Protection Regulation (2016), as such, all bodies must ensure that there is a valid and lawful basis in order to process personal data. We collect and use pupil information under the following articles of GDPR:

Article 6.1a - Consent - The data subject has given consent to the processing of his or her personal data for one or more specific purposes;

The school will obtain consent from parents before sharing any information. The right to object is communicated and recorded. Any amendments to the conditions of sharing are communicated to the relevant parents or carers.

Article 6.1c – Legal Obligation; processing is necessary for compliance with a legal obligation to which the controller is subject;

Where the School needs to use your information in order to comply with a legal obligation, for example to report a concern to Children's Services. We may also have to disclose your information to third parties such as the courts, the local authority or the police.

Article 6.1e – Processing by a public authority; Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Schools deliver educational services and are monitored by the local authority and Ofsted. Data is required to be shared to fulfil this requirement.

Article 9.2a – Consent; the data subject has given explicit consent to the processing of those personal data for one or more specified purposes.

The school will obtain consent from parents before sharing any information. The right to object is communicated and recorded. Any amendments to the conditions of sharing are communicated to the relevant parents or carers.

Article 9.2c – Legal Obligation; 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;

Where the School needs to use your information in order to comply with a legal obligation, for example to report a concern to Children's Services. We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Article 9.2e – Public Task - the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

The School considers that it is acting in the public interest when providing education.

Further guidance may be obtained on the relevant GDPR schedules by reviewing the Information Commissioners Office website on <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Sending information to other countries

It may be necessary from time to time to forward your data to other countries where we store information on computer servers based overseas, an example of this would be some software systems such as Class Dojo.

Under GDPR, Information can be transferred to any EU member state (including Norway and Iceland) and has produced a list of approved countries. Should the data be forwarded to any country not on the list, an independent risk assessment will be carried out to ensure that the relevant safeguards are in place to protect that data. No data will be transferred if Coast Academies is not assured of its storage. Further information can be found here:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/international-transfers/>

Storing pupil data

The sharing of your information is strictly controlled. We will not pass on information about you to third parties without your permission unless there are exceptional circumstances, for example, where we are required to by law.

In all cases, where personal information is shared, either with or without your consent, a record will be kept. We ensure that all information accessed is kept secure and stored appropriately.

Our secure networks, internal and external IT safeguards all ensure we protect your right to privacy and confidentiality. We only keep your records as long as we need to and are required to by law / national codes of practice. After records reach their mandated storage time, they are deleted or securely destroyed by shredding.

Who we share pupil information with

In order to fulfil our legal duties, we routinely share pupil information with:

- Local authorities, the Department for Education, Local schools (for example when a student transfers locally or to secondary schools) and any school within Coast Academies and the Coast Academies Board.
- The Multi Agency Safeguarding Hub should there be safeguarding concerns and any associated safeguarding systems such as CPOMs, Behaviour Watch or Progresso.
- Law enforcement agencies where there is a serious concern, in these such occasions, a clear record of the decision process will be retained including any Data Protection Law Enforcement Directive decision.
- NHS Providers or Education Healthcare Professionals to ensure that pupil health and development is considered at all stages. We will not share any information without your informed consent.
- Legal Advisors for the purpose of obtaining advice on specific matters.
- Educational Consultants, Experts and other Advisors to assist the school in fulfilling its obligations and to develop the school to be more effective. We might need to share limited, anonymised information with them that is relevant to their work. Should other information be required, this would be considered on an ad hoc basis.
- School Insurance Providers, for example, where there is a serious incident at the School.
- Educational computer system providers such as SIMS, ParentPay, Evolve Classroom Monitor and Progresso. A data sharing agreement exists for all of these providers to ensure that the data is held securely at all times, (please note, this list of providers is not exhaustive and may change, based on the requirements of the school).
- School Meal Providers.
- Other schools out of area. If a child leaves education we are required to share information with that school. For example, details of family circumstances for safeguarding reasons.

- We may share information about you with others in your family, such as another parent or step-parent. For example, where this is part of our obligation to take care of your child, as part of our wider legal and regulatory obligations.

Why we 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 Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

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.

Other information sharing, for example on computer systems, is subject to stringent monitoring and review. The information stored on these systems is used primarily to increase productivity and effectiveness in the 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/datacollection-and-censuses-for-schools>.

The National Pupil Database (NPD)

The NPD is owned and managed by the DfE 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 DfE. 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.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The DfE may share information about our pupils from the NPD with third parties who promote the education or well-being 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 our data is maintained and there are stringent controls in place regarding access and use of the data.

Decisions on whether the DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the DfE's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the DfE has provided pupil information (and for which project) please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact the DfE: <https://www.gov.uk/contact-dfe>

Requesting access to your personal data

Under data protection legislation, 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 Headteacher or the Data Protection Officer on dataprotection@coastacademies.org.uk

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

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

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

dataprotection@coastacademies.org.uk

Changes to this privacy notice

We reserve the right to update this privacy notice at any time and we will provide you with a new privacy notice when we make any substantial changes. We will also notify you in other ways from time to time about the processing of your personal data.