

Privacy Notice (How we use pupil information)

Under data protection law, individuals have a right to be informed about how our schools use 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**.

Swift Academies is the Data Controller for the use of personal data in this privacy notice.

Our data protection officer is Mrs S Jones, Trust Business Manager and is contactable on: sj@swiftacademies.org.uk

The categories of pupil information that we process includes, but is not restricted to:

- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, trips attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as results of internal and external set tests/examinations, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- CCTV images captured at school (if applicable)
- Biometric information we currently use biometric data i.e. fingerprint identification system for school administration purposes (cashless catering)
- Personal identifiers and contacts (such as name, photographs, unique pupil numbers, contact details, address and medical information) for the purpose of trips and visits

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

Why we collect and use pupil information

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

- 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 (food allergies, or emergency contact details)
- f) to administer admission waiting lists
- g) 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:

Most commonly, we process it:

- to comply with a legal obligation
- where personal data collected is essential for the schools to fulfil their official functions and meet legal requirements.
- to perform an official task in the public interest

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

- We have obtained 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 pupil information

We collect pupil information via:

- Registration or data collection forms
- Common Transfer Files (CTFs) or secure file transfer from previous school

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it 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 keep personal information about 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 hold pupil data securely for the set amount of time outlined in our data retention schedule.

Who we share pupil information with

Where it is legally required or necessary we may routinely share pupil information with:

- Department for Education – we share pupil 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 workforce members with our local authority (LA) under section 5 of the Education (England) Regulations 2007 and amendments
- Local Authority – we are required to share information about our pupils' with our local authority (LA) to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- Multi-Academy Trust – to allow the business to function, such as sharing information with HR and finance teams
- Our regulator [e.g. Ofsted] – to meet our legal obligations to share certain information during the inspection process
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Our auditors – to enable them to provide the service we have contracted them for

- Health authorities – to meet our legal obligations to share certain information with it, such as Education Health Care Plans
- Health and social welfare organisations – to meet our legal obligations to share certain information with it, such as child protection information
- Professional advisers and consultants – to enable them to provide the service we have contracted them for
- Police forces, courts, tribunals – to meet our legal obligations to share certain information with it, such as CCTV footage or contact information

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. Further examples of why we share pupil data are listed above under 'who we share pupil information with'

Youth support services

Pupils aged 13+

Once our pupils reach the age of 13, we also pass pupil information to our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- youth support services
- careers advisers

A parent or guardian can object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once they reach the age 16

Data is securely transferred to the youth support service via encrypted email and is stored on the school system and held for until a student reaches age 25.

Pupils aged 16+

We will also share certain information about pupils aged 16+ with our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- post-16 education and training providers
- youth support services
- careers advisers

A child / pupil once they reach the age of 16 can object to only their name, address and date of birth is passed to their local authority or provider of youth support services by informing us.

Data is securely transferred to the youth support service via encrypted email and is stored on the school system and held for until a student reaches age 25.

For more information about services for young people, please visit our local authority website.

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 data collections, such as school census, 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 ajs@swiftacademies.org.uk

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 in the first instance by contacting **Mrs S Jones, Trust Business Manager** ajs@swiftacademies.org.uk

Depending on the lawful basis, 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

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 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.

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 **16th October 2020**