



# **Privacy Notice - Pupil Workforce and Other**

*(Approved by Trustees 18 June 2018 for review Summer 2019)*

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## HOW WE USE PUPIL INFORMATION

Under data protection/General Data Protection Regulation (GDPR) law Lakes Academies Trust and each school within the Trust has certain obligations as a data controller of personal information. This document is intended to make clear what information we hold, the purpose for us holding that information and our obligations in relation to it, and also make you aware of your rights as data subjects.

### DATA CATEGORIES

The categories of pupil information that we collect, hold and share include:

- Personal information (such as name, unique pupil number and address).
- Parent/Carer information (such as name(s), address, telephone numbers).
- 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 including any exclusions).
- Assessment information (such as periodic teacher judgements on progress etc. and also examination results).
- Medical information (any relevant medical conditions or treatments and a log of any incidents/illnesses that we are aware of that occurred in school).
- Behaviour (record of behaviour events associated with a child in line with the academy's Behaviour for Learning Policy).
- SEN (record of any Special Education Needs along with associated observations, strategies and learning plans).
- Use of internet and ICT resources (to ensure safe and appropriate use of resources)
- Pastoral (record of personal, social (well being) and academic events to support the needs of students)

### WHY WE COLLECT AND USE THIS INFORMATION

We use the pupil data:

- to safeguard pupils
- 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

### THE LAWFUL BASIS ON WHICH WE USE THIS INFORMATION

We collect and use student information to meet legal requirements and legitimate interests set out in the Education Act 1996 and Regulation 5 of the Education Regulations 2013. To conform with GDPR, any information the academy processes fulfils one of the following requirements from Article 6 of the GDPR:

- 1(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- 1(c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- 1(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;

- 1(e) 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.

Where we process special categories of personal data we do so under obligations covered in Article 9 of GDPR:

- 2(g) – the processing is necessary for reasons of substantial public interest.
- Where the above do not apply the academy will seek consent for specific purposes in line with the following Article 6.1.a.
- 1(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes.

This will be done in writing and will clearly define any other uses of personal information and ask for consent for each and every use.

### **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.

### **STORING PUPIL DATA**

Where information forms part of a student's statutory education record, The Education Regulations 2005 SI 2005 No. 1437, the academy will retain the information for 25 years from the child's date of birth.

Other information will be retained only where it is required to perform our legal obligations or where it is retained to safeguard and promote the welfare of children.

### **WHO WE SHARE PUPIL INFORMATION WITH**

We routinely share pupil information with:

- Schools/other educational establishments that the student's attend after leaving the academy;
- Lakes Academies Trust;
- Relevant Local Authority;
- The Department for Education (DfE);
- The NHS;
- School Meals Service;

### **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.

## 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

[www.gov.uk/education/data-collection-and-censuses-for-schools](http://www.gov.uk/education/data-collection-and-censuses-for-schools)

## 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.

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

[www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information](http://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information)

The department 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 Department 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 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 Department's data sharing process, please visit:

[www.gov.uk/data-protection-how-we-collect-and-share-research-data](http://www.gov.uk/data-protection-how-we-collect-and-share-research-data)

For information about which organisations the Department has provided pupil information, (and for which project), please visit the following website:

[www.gov.uk/government/publications/national-pupil-database-requests-received](http://www.gov.uk/government/publications/national-pupil-database-requests-received)

To contact DfE: [www.gov.uk/contact-dfe](http://www.gov.uk/contact-dfe)

## HOW WE USE SCHOOL WORKFORCE INFORMATION

We hold personal data about our employees, clients, suppliers and other individuals for a variety of business purposes.

Under data protection/General Data Protection Regulation (GDPR) law Lakes Academies Trust and each school within the Trust has certain obligations as a data controller of personal information. This document is intended to make clear what information we hold, the purpose for us holding that information and our obligations in relation to it, and also make you aware of your rights as data subjects.

### DATA CATEGORIES

The categories of school workforce information that we collect, hold and share include:

- personal information (such as name, address, phone number, employee or teacher number, national insurance number)
- payroll information (such as bank account details)
- special categories of data including characteristics information (such as gender, age, ethnic group)
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- record of any known disability

### WHY WE COLLECT AND USE THIS INFORMATION

We use the school workforce data to:

- safeguard pupils and staff
- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid

### THE LAWFUL BASIS ON WHICH WE USE THIS INFORMATION

We collect and use workforce information to meet legal requirements and legitimate interests set out in the Education Act 1996. To conform with GDPR, any information the academy processes fulfils one of the following requirements from Articles of the GDPR:

- 6(1)(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- 9(2)(b) processing is necessary for the purpose of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

### COLLECTING SCHOOL WORKFORCE INFORMATION

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

## **STORING SCHOOL WORKFORCE INFORMATION**

We hold school workforce data for the duration of the post holders contract at Lakes Academies Trust.

Data will be retained only where it is required to perform our legal obligations or where it is retained to safeguard the school workforce.

## **WHO WE SHARE SCHOOL WORKFORCE INFORMATION WITH**

We routinely share this information with:

- Local Authority;
- The Department for Education (DfE);
- Financial organisations (payroll, pension provider)

## **WHY WE SHARE WORKFORCE INFORMATION**

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

### **LOCAL AUTHORITY**

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

### **DEPARTMENT FOR EDUCATION (DFE)**

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

We are required to share information about our staff with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

## **DATA COLLECTION REQUIREMENTS**

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

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 [www.gov.uk/education/data-collection-and-censuses-for-schools](http://www.gov.uk/education/data-collection-and-censuses-for-schools)

The department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal 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 securely store and handle the data

To be granted access to school workforce information, organisations must comply with its 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 department's data sharing process, please visit:

[www.gov.uk/data-protection-how-we-collect-and-share-research-data](http://www.gov.uk/data-protection-how-we-collect-and-share-research-data)

To contact the department: [www.gov.uk/contact-dfe](http://www.gov.uk/contact-dfe)

## OTHER INFORMATION WE COLLECT AND HOLD

The categories of other information that we collect, hold and share include:

- Parents' and carers information (such as name, address, contact information, relationship to the child, involvement with volunteer groups or parents association);
- Visitor information (such as name, business, car registration, DBS certification, purpose of visit);
- Volunteer information (such as name, business, car registration, DBS certification, Photo ID purpose of visit);
- Governors' information (such as name, address, contact information, business interests, financial interests and governance roles in other schools);
- Job applicants' information (such as name, address, contact information, reference information)
- Private Hire/Lettings information (such as name, address, contact information, business, public liability insurance details, DBS certification, Photo ID)

### WHY WE COLLECT AND USE THIS INFORMATION

**Parent information** is collected so that:

- We can communicate with you about your child (in relation to things such as education and attainment, health and well-being, attendance and behaviour);
- Send you important information about the school;
- Provide you with access to tools and services we use in schools (such as parent payment systems, communication applications).

**Visitor information** is collected so that:

- We have a record of who is and has been in the building, for health, safety and operational purposes;
- We know whether a visitor can be unaccompanied in areas where children are present;
- We have a record of official visits (such as inspections or maintenance)

**Volunteer information** is collected so that:

- We have a record of who is and has been in the building, for health, safety and operational purposes;
- We know whether a volunteers can be unaccompanied in areas where children are present;
- We have a record of visits

**Governor information** is collected so that:

- We can communicate with Governors on school business;
- There is a public record of Governors and their business interests.

**Job applicant** information is collected so that:

- We can communicate with applicants
- Perform pre employment checks
- Adhere to safer recruitment policies and procedures.

**Private Hire/Letting** information is collected so that:

- We have a record of who is and has been in the building, for health, safety and operational purposes;
- Provide invoices for payment
- We can communicate you.
- Perform safeguarding checks

## THE LAWFUL BASIS ON WHICH WE USE THIS INFORMATION

- **Parental** information is processed in the public interest where it is related to their child's education. We may have a legal obligation to process data in certain processing activities and in some circumstances we will rely on consent as the lawful basis;
- **Visitor** information is processed as a task in the public interest where it relates to school operations and under a legal obligation where it relates to health and safety and pupil safeguarding;
- **Volunteer** information is processed as a task in the public interest where it relates to school operations and under a legal obligation where it relates to health and safety and pupil safeguarding;
- **Governor** information is processed as a task in the public interest.
- **Job applicant** information is processed as a task in the public interest and under a legal obligation where it relates to health and safety and pupil safeguarding;
- **Private Hire/Lettings** information is processed as a task in the public interest where it relates to school operations and under a legal obligation where it relates to health and safety and pupil safeguarding;

## COLLECTING THIS INFORMATION

- **Parents:** whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this;
- **Visitors:** As a visitor the information that you provide to us is voluntary. However, we may restrict access to the school if the information is not provided;
- **Volunteers:** As a volunteer the information that you provide to us is voluntary. However, we may restrict access to the school if the information is not provided;
- **Governors:** whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.
- **Job applicants:** whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.
- **Private Hire/Lettings:** whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this;

## STORING THIS INFORMATION

We hold other information we collect as documented in our Retention Schedule, which can be requested by contacting the school office.

## WHO WE SHARE THIS INFORMATION WITH

We routinely share this information with:

- **Parents:** we will share your information with members of staff, other agencies and, where you have agreed, with third-party processors who provide services to the school;
- **Visitors:** your information will not be shared unless requested by an external agency in the course of a health and safety incident or in the investigation of a crime;
- **Volunteers:** your information will not be shared unless requested by an external agency in the course of a health and safety incident or in the investigation of a crime;
- **Governors:** we will publish the names, business interests, financial interests and governance roles of governors in other schools on the school website.
- **Job applicants:** your information will not be shared unless required in the course of safe recruitment procedures.
- **Private Hire/Lettings:** your information will not be shared unless requested by an external agency in the course of a health and safety incident or in the investigation of a crime;

## 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 [office@lakesacademiestrust.org](mailto:office@lakesacademiestrust.org)

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/>

## DATA PROCESSORS

The processor or data processor is a person or organization who deals with personal data as instructed by a controller for specific purposes and services offered to the controller that involve personal data processing.

As data controller, Lakes Academies Trust uses the following data processors for certain services.

- **Google** - For network services such as communication and data storage
- **ParentMail** - For parent communications
- **Medical Tracker** - For recording first aid incidents, managing medicines and care plans
- **Wonde** - a secure platform that provides schools with the tools to manage which school data is accessed by suppliers
- **DCPro** - Pupil assessment and pastoral tracking system.
- **Micro Librarian** - Library database provider

## CONTACT

If you would like to discuss anything in this privacy notice, please contact [office@lakesacademiestrust.org](mailto:office@lakesacademiestrust.org) and it will be passed on to the Data Protection Officer for a response.

Via post:

Data Protection Officer  
Lakes Academies Trust  
c/o Water Hall Primary School  
Fern Grove  
Bletchley  
Milton Keynes  
MK2 3QF