

Privacy Notice

The purpose of this Notice is to explain how we handle personal data about students and parents/carers

Why do we collect and use student information?

At The Magna Carta School and the Unity Schools Trust we collect and use student information and hold the legal right to collect and use personal data relating to students and their families. Unity Schools Trust is the organisation which is in charge of your personal information. This means that Unity Schools Trust is the Data Controller. We may also receive information regarding a student from their previous school (usually via secure file transfer from your previous school), LA and/or the Department for Education (DfE) or other government agencies. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the General Data Protection Regulation 2018 (GDPR) and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013, to pass some information about our students to the Department of Education (DfE). This is the Government which is responsible for schools. This information may, in turn, then be made available for use by the Local Authority.

In accordance with the above, the personal data of students and their families is collected and used for the following reasons:

- To support student learning
- To monitor and report on student progress
- To provide appropriate pastoral care
- To assess the quality of our service
- To comply with the law regarding data sharing
- To meet the statutory duties placed upon us for DfE data collections
- To keep students safe (such as emergency contact details, food allergy information)

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

- Personal information (such as name, unique student number contact details and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Special educational needs (including the needs and ranking)
- Attendance information (such as sessions attended, number of absences absence reasons and any previous schools attended)
- Assessment and attainment information – e.g. national curriculum assessment results, post 16 courses enrolled for and any relevant results)
- Relevant medical information and administration (such as doctors information, child

- health, dental health, allergies, medication and dietary requirements)
- Information relating to special educational needs
 - Behavioural information (such as exclusions and any relevant alternative provision put in place)
 - Information about free school meal and pupil premium eligibility
 - Information for catering management purposes (e.g. whether you have school dinners and how often)
 - Biometric Data – the typical uses of biometrics in school are those where the student puts their finger or thumb into a machine as a means of identification e.g. cashless catering and borrowing books
 - Any other information relevant to proceed with identity management and any information related to school trips
 - We may use photographs of you. More details about this is in our separate Photograph & Video consent form and Data Protection & Freedom of Rights Policy

Collecting personal information

Student data is essential for the schools' operational use. Whilst the majority of personal data 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 personal information to us or if you have a choice in this.

How long we keep your information

Personal data relating to students at this school and their families is stored in line with the Trust's Data Protection & Freedom of Rights Policy.

In accordance with the GDPR the school 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. Most of your information will be held in our student file. We follow guidelines given by Information and Records Management Society (www.irms.org.uk) which explains how long we should keep information. We will use reasonable endeavours to ensure that personal data is kept up to date. We mainly rely on you to inform us of all changes to your personal data (such as a new address) to ensure that it is up to date and we will update or delete your personal data accordingly.

Who do we share personal information with?

We routinely share student information with (non-exhaustive list):

- Schools that the student attends after leaving us
- Our local authority
- Youth support services (students aged 13+)
- The Department for Education (DfE)
- Disclosures connected with SEN support
- School nurse
- School counsellor
- CAMHS (Child and Adolescent Mental Health Service)

The information disclosed to these people/services will include sensitive personal information about you. Usually this means information about a student's health and any special education needs or disabilities which a student has. We do this because these people need the information so that they can support the student.

We will also normally give information about a student to their parents or main carer. Where appropriate, we will listen to the student view first. We will also take family circumstances into account, in particular where a court has decided what information a parent/carer is allowed to have.

Our disclosure of your personal data is lawful for the following reasons:

- The Trust is under a legal obligation to disclose the information or disclosing the information is necessary for us to meet legal requirements imposed upon us such as our duty to look after our students and protect them from harm.
- It is necessary for us to disclose your information for the purposes of our functions in providing schooling. This is a function which is in the public interest.
- We may not need consent to disclose your information. However, if at any time it appears to us that we would need consent then we will ask before a disclosure is made.

It is in your interests for your personal information to be passed to these people or services. If we need consent to pass on your information we will ask the student for consent once we think that you can understand what we are asking. This is because the law requires us to ask the student if he/she can understand. Normally, we involve the parents/carers too. By law we won't need the parents/carers consent if the student can give it but we understand that parents like to be involved as it is part of looking after their child. Before a student is old enough to understand we will ask parents to consent for the student.

We do not normally transfer your information to a different country which is outside the European Economic Area. This would only happen if one of the students' parents/carers lives abroad or if you move to a new school abroad. If this happens we will be very careful to make sure that it is safe to transfer your information. We will look at whether that other country has good data protection laws for example. If we cannot be sure that it is safe then we will talk to you about it and make sure that you are happy for us to send your information. As this is not something that we normally do and we don't know which country we might need to and your information to, we cannot tell you more about it now but if we want to transfer your data to a different country then we will tell you whether or not we think it is safe and why we have decided that.

We may share your personal data with other third-party service providers that may assist with our processes, administering, evaluating and improving our school practices. Our third parties hold a data processing agreement with us ensuring obligations, responsibilities and liabilities hence complying with the GDPR. Our third parties do not process or keep the information for any of their own purposes. If you would like a separate list of all our third party providers then please contact the Data Protection Officer *Mrs Rnuka Dhir* at dataprotection@unityschoolstrust.co.uk.

Why we share student information

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

We share students' data with the 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 students 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 DfE (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Youth support services

What is different about students aged 13+?

Once our students reach the age of 13, we also pass students 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/guardian can request that **only** their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. However, where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child/student once they reach the age of 16.

Students aged 14+ qualifications

For students enrolling for post 14 qualifications, the Learning Records Service will give us a student's unique learner number (ULN) and may also give us details about the student's learning or qualifications.

Students aged 16+

We will also share certain information about students 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

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

The National Pupil Database (NPD)

The NPD is owned and managed by the DfE and contains information about students 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 students 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 student information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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

The department may share information about our student 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 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
- The arrangements in place to store and handle the data

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

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

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

Requesting access to your personal data

Under data protection legislation, parents and students 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 Business Director and Chief Financial Officer *Mrs Liz Simmons* at dataprotection@unityschoolstrust.co.uk.

Your rights

You have these rights:

- You can ask us to correct any information we have about you if you think it is wrong
- You can ask us to erase information about you (although we may have good reasons why we cannot do this)
- You can ask us to limit what we are doing with your information
- You can object to what we are doing with your information
- You can ask us to transfer your information to another organisation in a format that makes it easy for them to use

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 and if you are not happy with the outcome you may raise a complaint directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Where can you find out more information?

If you would like to find out more information about how we and/or the DfE collect, use and store your personal data, please visit www.unityschoolstrust.co.uk or download our Data Protection & Freedom of Rights Policy. If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer *Mrs Rnuka Dhir* at dataprotection@unityschoolstrust.co.uk.

Information Commissioner's Office

If you have a concern about the way we and/or the DfE is collecting or using your personal data, you can raise a concern with the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.

Declaration

I declare that I have read **The Privacy Notice** and understand the following:

- The Trust and school has a legal and legitimate interest to collect and process my personal data in order to meet statutory requirements
- How my data is used
- The Trust and school may share my data with the DfE, and subsequently the LA
- The Trust and school will not share my data to any other third parties without my consent, unless the law requires the school to do so
- The Trust and school will always ask for explicit consent where this is required, and I must provide this consent if I agree to the data being processed
- My data is retained in line with the Trust's GDPR Data Protection & Freedom of Rights Policy
- My rights to the processing of my personal data
- Where I can find out more information about the processing of my personal data

Parent/Carer Name: _____

Parent/Carer Signature: _____

Date: _____

Student Name: _____

Student Signature: _____

Date: _____

Please return this page to the school office and keep the previous pages for your reference