

**SIR GRAHAM BALFOUR
MULTI-ACADEMY TRUST**



**Privacy Notice for Parents/Carers of
Pupils**

Privacy Notice for pupils

Under data protection law, individuals have a legal right to be informed about how the Trust uses any personal information held about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data. This privacy notice explains how we collect, store and use personal data about our **pupils**.

We, Sir Graham Balfour Multi Academy Trust (SGBMAT), are the 'data controller' for the purposes of data protection law.

See "Contact us" below for details of our Data Protection Officer (DPO).

The personal information we hold

Personal information that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Attendance information
- Behavioural information, including exclusions
- Characteristics, such as ethnic background, eligibility for free school meals or any special educational needs
- Details of any medical conditions you have, including physical and mental health
- Pupil and curricular records
- Details of any support received, including care packages, plans and support providers
- Safeguarding information
- Post 16 learning information
- Biometric information (to purchase food and drink from the canteen)
- Photographs
- CCTV images captured in school

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

Why we collect and use this information

We use this information to help run the school, including to:

- Contact parents and students
- Support pupil learning
- Monitor and report on pupil progress
- Assess the quality of our services
- Protect pupil wellbeing
- Provide appropriate pastoral care
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

We do not currently put pupil personal information through any automated decision making or profiling process. This means we do not make decisions about pupils using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing and the pupil's right to object to it.

Our lawful basis for using this information

We only collect and use pupil's information when the law allows us to and we need to establish a 'lawful basis' to do this.

Our lawful bases for processing pupil's personal information for the reasons listed in the section above are:

- in accordance with the 'public task' basis – *we need to process data to fulfil our official duties as a school*
- in accordance with the 'legal obligation' basis – *we need to process data to meet our responsibilities under law*
- in accordance with the 'consent' basis – *we will obtain consent to use a pupil's personal data*
- in accordance with the 'vital interests' basis – *we will use this personal data in a life-or-death situation*
- in accordance with the 'contract' basis – *we need to process personal data to fulfil a contract with you or to help you enter into a contract with us*
- in accordance with the 'legitimate interests' basis – *where there's a minimal privacy impact and we have a compelling reason*

Where we have obtained consent to use pupil's information, 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.

For 'special category' data (more sensitive personal information), we only collect and use it when there is both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained explicit consent to use pupil information in a certain way
- We need to use the information under employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect a pupil's life or someone else's life), in situations where a pupil is physically or legally incapable of giving consent
- The information has already been made obviously public by a pupil
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation
- We need to use it for health or social care purposes, and it is used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for public health reasons, and it is used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

For criminal offence data, we will only collect and use it when there is both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect a pupil's life or someone else's life), in situations where a pupil is physically or legally incapable of giving consent
- The data concerned has already been made obviously public by a pupil
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

Collecting this information

Whilst the majority of information we collect about pupils is mandatory, there are some occasions when a pupil can choose whether or not to provide the data requested.

We will always make it clear when it is optional to provide the data. If it is mandatory to provide the data, we will explain the consequences of what might happen if a pupil does not.

Most of the data we hold about pupils will be provided by pupils and parents, but we may also receive and hold data from other sources, including:

- Local councils
- Other schools
- Government departments or agencies
- Police forces, courts, tribunals

How we store this information

We keep personal information about pupils while they are attending our Trust. We may also keep it beyond their attendance at our Trust if this is required in order to comply with our legal obligations. Our Records Management Policy sets out how long we keep information about pupils.

To obtain a copy of our Records Management Policy, please contact office@sirgrahambalfour.staffs.sch.uk.

We have security measures in place to prevent your personal information from being accidentally lost, altered, disclosed, used or accessed in an unauthorised way.

Your personal data will be disposed of securely in accordance with our Records Management Policy.

Who we share information with

We do not share information about pupils with any third party without consent from a pupil or their parents/carers unless the law and our policies allow us to do so.

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information with:

- Our local authority, Staffordshire County Council – *to meet our legal obligations to share certain information with it, such as admissions, transport, safeguarding concerns and exclusions*
- The Department for Education (a Government department) – *to meet our legal duties to share information, such as National Pupil Database (see section below)*
- The pupil's family and representatives – *to meet our legal duties to share information with them, such as providing an annual report on pupil progress*
- Educators and examining bodies – *to carry out our duty in the public interest of providing pupils with an education and obtaining qualifications*
- Our regulator, (the organisation or “watchdog” that supervises us) e.g. Ofsted
- Suppliers and service providers – *such that they can provide the services we have contracted them for, e.g. music lessons*
- Central and Local government – *to meet our legal duties to share certain information, such as transfer of students and students who are looked after*
- Health authorities – *so they can look after pupil wellbeing, e.g. vaccinations*
- Security organisations – *where we have contracted with them to provide a service e.g. CCTV*
- Health and social welfare organisations – *to meet our legal duties regarding safeguarding pupils from harm*
- Professional advisers and consultants – *to carry out our task in the public interest of providing pupils with an education, such as providing a supply teacher*

- Charities and voluntary organisations – *so that they can provide services we have contracted them for, e.g. counselling*
- Police forces, courts, tribunals – *to meet our legal duties to share information with them e.g. criminal activity, safeguarding*

National Pupil Database (NPD)

We are required to provide information about our pupils to the Department for Education (DfE) as part of data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#), which is managed by the Department for Education and provides evidence on educational performance to inform independent research, as well as studies commissioned by the DfE. The database is held in electronic format for statistical purposes. This information is securely collected from schools, local authorities, exam boards and other sources.

The DfE may share information from the database with other organisations which promote children’s education or wellbeing in England. Such organisations must comply with strict terms and conditions covering confidentiality and handling of the information, security arrangements and retention and use of the information.

You can find more information about this on the DfE’s webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) if you have any questions about the database.

Youth Support Services

Once our pupils reach the age of 13, we are legally required to pass on certain pupil information to Staffordshire County Council, as it has legal responsibilities regarding the education or training of 13-19 year olds under Section 507B of the Education Act 1996.

This information enables it to provide youth support service, post-16 education and training services, and careers advisers.

Parents/carers, or pupils once aged 16 or over, can contact our data protection officer to request that only the pupil’s name, address and date of birth is passed to Staffordshire County Council.

Transferring data internationally

Where we transfer personal information to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

In cases where we have safeguarding arrangements in place, pupils can obtain a copy of these arrangements by contacting the data protection officer.

Your rights

How to access personal information that we hold about pupils

Under data protection legislation, parents and pupils have a right to make a ‘**subject access request**’ (SAR) to gain access to the information that the Trust holds about them.

If you wish to make a request for your personal information, or to be given access to your child’s educational record, please contact our Data Protection Officer.

When responding to a SAR, the school will have regard to the exemptions recommended by the Information Commissioner’s Office (ICO) (for details, please see the Data Protection Policy on the website).

If we judge that you can properly understand your rights and what they mean, and we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where it came from, if not from you or your parents
- Tell you who it has been, or will be, shared with

- Let you know if we are using your data to make any automated decisions (decisions made by a computer or machine, rather than by a person), and any consequences of this
- Give you a copy of the information

You may also request to have your personal information sent to another organisation in certain circumstances.

If you would like to make a request, please contact us (see “Contact us” below) or send an email to office@sirgrahambalfour.staffs.sch.uk with “Subject Access Request” in the heading.

Other rights regarding pupil information

Under data protection law, parents and pupils have certain rights regarding how their personal information is used and kept safe, including the right to:

- Object to the processing of personal information if it is likely to cause, or is causing, damage or distress
- Prevent it being used for the purpose of direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In some circumstances, have inaccurate personal information corrected
- In some circumstances, have information deleted or destroyed, or restrict processing
- In some circumstances, be notified of a data breach affecting an individual’s personal information
- Make a complaint to the Information Commissioner’s Office
- In some circumstances, claim compensation for damages cause by a breach of the data protection regulations

To exercise any of these rights, please contact us (see ‘Contact us’ below).

Complaints

We take any complaints about how we collect and use personal information very seriously, so if you have any concerns, please raise these with our Data Protection Officer in the first instance.

Alternatively, you can make a complaint to the Information Commissioner’s Office in one of the following ways:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

- DPO@sirgrahambalfour.staffs.sch.uk
- Tel: 0203 797 6340.

or contact our MAT data protection lead who has day-to-day responsibility for data protection issues in our school:

- Rebecca Kerr: businessmanager@sirgrahambalfour.staffs.sch.uk

Other Disclosures

We will advise you at the time, should we wish to disclose a pupil’s information to any other appropriate third party (i.e. new contractors/partners), and this Privacy Notice will be updated.

Updates to this Privacy Notice

We may make updated to this Privacy Notice from time to time, especially if legislation/regulation or guidance changes. For the latest copy, please visit our website.