

## Privacy Policy for Parents/Carers – use of your child’s personal data

In the development of this policy consideration has been given to Equality and Diversity and Data Protection.

### Equality and Diversity

The Diocese of Ely Multi-Academy Trust (DEMAT) is committed to promoting equality of opportunity for all staff and job applicants. The Trust aims to create a supportive and inclusive working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit. We do not discriminate against staff on the basis of age; race; sex; disability; sexual orientation; gender reassignment; marriage and civil partnership; pregnancy and maternity; religion, faith or belief (Equality Act 2010 protected characteristics). The principles of non-discrimination and equality of opportunity also apply to the way in which staff and Governors treat visitors, volunteers, contractors and former staff members.

### Data Protection

DEMAT will process personal data of staff (which may be held on paper, electronically, or otherwise). DEMAT recognises the need to treat this data in an appropriate and lawful manner, in accordance with the Data Protection Act 2018 (DPA).

<b>This Policy is to be used across all DEMAT schools</b>	Version	Date
DEMAT Officer responsible for updating content – DPO	4	Jun 2020
Date approved by DEMAT Standards & Ethos Committee		1 <sup>st</sup> Sept 2018
Effective date as determined by DEMAT	2	1 <sup>st</sup> Sept 2018
Policy to be reviewed annually from date last approved by DEMAT Standards & Ethos Committee	4 (no procedural changes)	Annually
Policy review by DEMAT (no statutory revisions required as at June 2020)	4	June 2020
Policy to be reviewed by DEMAT (unless statutory revisions require it be done earlier)	4	June 2021

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## Application of the Policy

This policy is to be used by all employees employed by The Diocese of Ely Multi-Academy Trust (DEMAT).

## **Use of your child's personal data**

Under data protection law, individuals have a right to be informed about how the school uses 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**.

We, the Diocese of Ely Multi Academy Trust, Grace Building, 8 High Street, Ely, CB7 4JU, are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer (DPO) is Joanne Patterson (see 'Contact us' below).

### **The personal data we may hold, use, store, share and process includes but is not restricted to:**

- Personal identifiers such as contact details, contact preferences, date of birth, identification documents, unique pupil number
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics (such as ethnicity, language, free school meal eligibility)
- Special educational needs
- Behavioural information (including exclusions, alternative provision)
- Medical and administration (such as doctor's information, child health, dental details, allergies, medication, dietary requirements)
- Attendance information (such as sessions attended, absences and reasons, previous schools attended)
- Safeguarding information (such as court orders, professional involvement)
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

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 schools to fulfil their official functions and meet legal requirements. Under GDPR the lawful bases we rely on for processing pupil information are listed below. We collect and use pupil information, for the following purposes:

#### **Statutory Function (legal basis to perform a public task):**

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To assess the quality of our services

#### **Vital interests:**

- To keep children safe (such as allergies, emergency contacts)

## Legal obligation

- To meet statutory duties placed upon us (such as Dept for Education census information)

If we need to process a pupil's data outside of the legal/statutory requirements we will obtain specific consent, which can be withdrawn at any time, and we will 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 this information

We obtain pupil information when a pupil joins a school via relevant forms. When a child joins a school from another school, a secure file containing relevant information is sent to the new school.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information provided to us is mandatory, some of it is provided to us on a voluntary basis. To comply with GDPR, we will inform you at the point of collection which information you are required to provide and which you have a choice in.

## How we store this 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. Our [Retention Guidance and Records Management Policy](#) set out how long we keep information about pupil and can be found on our website: <https://demat.org.uk/gdpr/>.

## Data sharing

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education – to meet our legal obligations
- The pupil's family and representatives
- Educators and examining bodies
- Ofsted
- Suppliers and service providers – to enable them to provide the service for which we have contracted them
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

The Diocese of Ely Multi Academy Trust (DEMAT)

Grace Building, 8 High Street, Ely, Cambridgeshire. CB7 4JU Tel: 01353 656760

Company registration number: 08464996

## **National Pupil Database**

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census and early years census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

## **Transferring data internationally**

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

## **Parents' and pupils' rights regarding personal data**

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent. Therefore, most subject access requests from parents or carers of pupils at any of the Trust's schools may be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

If you make a subject access request in relation to your child(ren), and if we do hold information about your child(ren), we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please complete the form that can be found on our website: <https://demat.org.uk/gdpr/> and return to [dpo@demat.org.uk](mailto:dpo@demat.org.uk).

## Other rights

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

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

## 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**:

- Joanne Patterson, [dpo@demat.org.uk](mailto:dpo@demat.org.uk)

## Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

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

*This notice is based on the [Department for Education's model privacy notice](#) for parents of pupils, and to reflect the way we use data in your child's school.*