



## **General Data Protection Regulations (GDPR)**

### **Privacy Notice – students and Parents**

#### **How we use student and parent information**

Under General Data Protection Regulations (GDPR) we are obliged to inform you of the information we hold on you and your child(ren), what we use it for, who we share it with, and for how long we keep it. This privacy notice (also known as a fair processing notice) aims to provide you with this information. If it, or any information linked to is unclear, please contact the school office, or the school's Data Protection Officer.

Stone Soup Academy, 14 High Pavement, Nottingham, NG1 1HN is the Data Controller, for the purposes of data protection law.

As a public body we have appointed a Data Protection Officer (DPO). The data protection officer (DPO) for Stone Soup Academy is Susan Murphy who is contactable via:

Tel: 0115 8221834

Email: [admin@stonesoupacademy.org.uk](mailto:admin@stonesoupacademy.org.uk)

#### **1. The categories of student & parent information that we collect, hold and share include but are not limited to:**

- Personal information (such as name, unique student number and address, parents' national insurance number)
- Characteristics (such as ethnicity, language, nationality, religion, country of birth, Early Years student Premium eligibility and free school meal eligibility)
- Results of internal assessments and externally set tests
- student and curricular records
- Attendance information (such as sessions attended, number of absences and reasons for absence)
- Assessment information (such as data scores, tracking, and internal and external testing)
- Safeguarding information
- Fixed Term suspension information
- Details of medical conditions, including physical and mental health information

- Details of support received, including care packages, plans and support providers
- Photographs and videos as tools for learning
- Photographs (for internal safeguarding & security purposes, Academy newsletters, media and promotional purposes).
- Relevant medical information (such as NHS information, health checks, physical and mental health care, immunisation program and allergies)
- Special educational needs information such as EHCP's, statements, applications for support, care or support plans)
- The number of school meals taken
- Behavioural information
- CCTV images and audio captured on Academy premises
- Information about court orders or prosecutions/convictions
- We will monitor records of students use of the internet and mobile electronic devices e.g. iPads, Chromebooks. This is to check that students are not putting themselves or others at risk and are not misbehaving when using this technology or putting themselves at risk of harm.

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

## **2. Why we collect and use this information**

We use this data to:

- Support student learning
- Monitor and report on student progress
- Provide appropriate pastoral care
- Protect student welfare
- Safeguard students
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regulating the sharing personal data
- Promote the objects and interests of the Academy

## **3.The lawfulness of processing**

The collection and processing of student information is defined in Article 6 of the GDPR which includes the provision to the effect that collecting and processing student information will on be lawful if one of the following conditions apply:

- (a) The data subject gives consent for one or more specific purposes.
- (b) Processing is necessary to comply with the legal obligations of the controller. (d) Processing is necessary to protect the vital interests of the data subject.
- (c) Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).

Our lawful basis for collecting and processing student information is further defined under Article 9, in that some of the information we process is deemed to be sensitive, or special, information. Where that is the case, collecting and processing will be lawful where:

- (a) The data subject has given explicit consent.
- (b) It is necessary to fulfil the obligations of the controller or of the data subject.
- (c) It is necessary to protect the vital interests of the data subject.
- (d) Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions)
- (e) Reasons of public interest in the area of public health (i) It is in the public interest

A full breakdown of the information we collect on students can be found on our 'Record of Processing'.

Some of the reasons listed above for collecting and using students' personal data overlap, and there may be several grounds that justify our use of this data.

An example of how we use the information you provide is:

The submission of the school census returns, including a set of named student records, is a statutory requirement on schools under Section 537A of the Education Act 1996. Putting the school census on a statutory basis:

- means that schools do not need to obtain parental or student consent to the provision of information
- ensures schools are protected from any legal challenge that they are breaching a duty of confidence to students
- helps to ensure that returns are completed by schools

#### **4. Collecting student information**

When we collect personal information, we will inform you whether you are required to provide certain student information to us or if you have a choice in this. If there is no legal requirement, then we will explain why we need it and what the consequences are if it is not provided.

Where we have obtained consent to use students' 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.

#### **5. How long we keep your information**

We keep personal information about students while they are attending the Academy. We may also keep it beyond their attendance at the Academy if this is necessary in order to comply with our legal obligations.

We have a policy which explains how long we keep information. It is called a Records Retention Policy and you can access it via our website, or you can ask for a copy at Reception.

We have data protection policies and procedures in place, including strong organisational and technical measures, which are regularly reviewed. Further information can be found on our website.

## **6. Who we share student information with**

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

student information that we routinely share with appropriate third parties includes:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education (DfE) - to meet our legal obligations
- The student's family and representatives
- Educators and examining bodies - to meet our legal obligations and for the purpose of providing schooling
- Our regulator (e.g. Ofsted) – who monitor the Academy
- Health and social welfare organisations (e.g. the NHS, the Anna Freud National Centre for Children and Families) - so that professionals can provide support to students
- Central and local government
- Our auditors
- Schools and or organisations that students attended prior to joining or after leaving Stone Soup Academy – we pass on information that they need to look after students and provide education
- Any referring organisation/school who the child remains on roll with.
- CPOMS - we share our CPOMS monitoring (behaviour & safeguarding) with all our referrers, specific to individual students referred to us by that organisation.
- Police forces, courts, tribunals - to safeguard students' welfare and well-being.
- Disclosures connected with SEN support - so that professionals can provide support to students
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Third party 'Cloud computing' services - to store some information rather than the information being stored on hard drives located on site.
- Emergency services - to protect students who become ill or are seriously injured
- The Academy's insurance company - to make sure that we have the insurance cover that we need
- Professional advisers and consultants - to assist the Academy in fulfilling its obligations
- Legal advisers - for the purpose of obtaining legal advice

## **7. Transferring data internationally**

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

## **8. 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 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 students with the (DfE) under regulation 5 of The Education (Information About Individual students) (England) Regulations 2013.

## **9. 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 <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

## **10. The National student Database (NPD)**

The NPD is owned and managed by the Department for Education 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 (the Education Information About Individual Students England Regulations 2013) 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 stored in the NPD.

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

The department may share information about our students 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 the data requested: and
- 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 and 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-student-database-requests-received>

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

### **11. Requesting access to your personal data, using the Gillick competences a child 13 and above has to give their consent for their data to be shared:**

Under data protection legislation, parents and students have the right to request access to information about them that we hold, through a Subject Access Request.

To make a request for your personal information, or to be given access to your child's educational record, contact Susan Murphy, [admin@stonesoupacademy.org.uk](mailto:admin@stonesoupacademy.org.uk)

If you make a subject access request, and if we do hold information about you or your child, 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
- Tell you 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 contact our data protection officer.

Parents/carers can ask for access to their child's educational record. To request access, please contact the school office Susan Murphy, [admin@stonesoupacademy.org.uk](mailto:admin@stonesoupacademy.org.uk)

### **12. 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.

### 13. 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/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### 14. 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. The data protection officer (DPO) for Stone Soup Academy is Susan Murphy who is contactable via:

**Tel: 0115 8221834**

**Email: [admin@stonesoupacademy.org.uk](mailto:admin@stonesoupacademy.org.uk)**

**Or ask to speak to the Principal, Kerrie Henton.**

**Stone Soup Academy**

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