EBOR ACADEMY TRUST

Privacy Notice 19d How we use pupil and parent/carer information (information for parents/carers)

Monitoring and Review of this Document:

The Trust shall be responsible for reviewing this document from time to time to ensure that it meets legal requirements and reflects best practice

Ebor Academy Trust is an exempt charity regulated by the Secretary of State for Education. It is a company limited by guarantee registered in England and Wales, Registered Company Number 08806335, whose registered office is at Ebor Academy Trust, Ebor Business and Training Centre, The Leyes, Osbaldwick, York, YO10 3PR.

Ebor Academy Trust: One School, Many Sites

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Privacy Notice Introduction:

This privacy notice has been written to inform parents, guardians and pupils of Ebor Academy Trust about how and why we process your personal data.

Who are we?

Your school is part of Ebor Academy Trust, the 'Data Controller' ultimately responsible for how the school handles your personal information. This means that we determine the purposes for which, and the manner of the processing. We will only collect and use your personal data in ways which are compliant with data protection legislation.

Data Protection Officer (DPO): Wendy Harrington

The role of the DPO is to monitor our compliance with the UK GDPR and the Data Protection Act 2018 and advise on data protection issues. If you would like to discuss this privacy notice or our use of your data, please contact us:

dpo@ebor.academy
Ebor Academy Trust, The Leyes, York, YO10 3PR
Phone: 01904 806806

What personal information do we collect?

The personal data we collect about you includes:

1. Personal identifiers and contacts such as name, unique pupil number, contact details and address.
2. Characteristics such as language spoken, nationality, country and date of birth and free school meal eligibility.
3. Safeguarding information, including but not limited to court orders and professional involvement and support.
4. Child in Need or Looked After status, including episodes of being looked after or a child in need, adoptions.
5. Special educational needs and disabilities information.
6. Attendance such as sessions attended, number of absences, absence reasons and any previous schools attended.
7. Educational and assessment attainment, such as early years, phonics and national curriculum assessment results.
8. Behavioural information such as suspensions and any relevant alternative provision put in place.
9. Parental consent forms for image, voice and video use.
10. Next of kin and emergency contact information.
11. Admissions information.
12. Photographs, video and radio recordings.
13. Transport to school information.
14. Details of any support received, including care packages, plans and support providers.
15. Parental information such as National insurance data.
16. Parents' votes in governor elections.
17. Bank details
18. Healthcare and medical information such as doctor details, allergies, medication and dietary

requirements.

19. Free School meal and other grant information.
20. Records of communications and interactions we have with you.
21. Before and after school club attendance.
22. E-monitoring information about your use of the school's network and IT systems.
23. Details of any complaints you have made

Under Article 9 of the GDPR, we may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Characteristics, such as race, ethnicity, religious beliefs, sexual orientation and eligibility for certain benefits
- medical information (such as doctors' information, child physical and mental health, dental health, allergies, medication, dietary requirements and details of isolation during a pandemic).
- CCTV and school entry systems images captured in school
- For faith schools: Information about your religion, as part of our admissions arrangements

Why do we need your personal data?

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

We process pupil and parent information for the purposes outlined below:

a) To support pupil learning and improve our education provision
b) To monitor and report on pupil attainment progress and equality of opportunity
c) To provide appropriate pastoral and safeguarding care
d) To assess the quality, safety and effectiveness of our services
e) To keep children safe (food allergies, or emergency contact details etc)
f) To meet the statutory duties placed upon us by the Department for Education and other legislative bodies
g) To provide pastoral care.
h) To allow completion of Personal Education Plans (PEP's)
i) To administer the admissions process
j) To safeguard pupils and the wider public
k) To provide a service such as cash free catering, professional sports coaching, meal ordering and after school clubs
l) To provide information to families about events and activities at the school
m) To Manage school governance
n) To comply with public health requirements
o) To administer and protect public funds
p) To check FSM eligibility
q) To take part in research

r) To form an archive for historic interest
s) To offer access to vaccinations from the NHS National Vaccinations programmes on school site
t) To promote the school, including in newsletters, on the school website and social media platforms.
u) To provide wraparound care before and after school.
v) To meet the statutory duties placed upon us regarding DfE data collections.
w) Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely

What is our lawful basis for processing your information?
We only collect and use your personal data when the law allows us to.

Most commonly, we process data where:

- We need to comply with a legal obligation - Article 6(1)(c)
- We need it to perform an official task in the public interest - Article 6(1)(e)
- We need it to perform a contract - Article 6(1)(b)

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way - Article 6(1)(a)
- We need to protect the individual's vital interests - Article 6(1)(d)
- Legitimate interests - Article 6(1)(f)
- We take part in educational research - Article 85
- archiving - Article 89

Where we are processing your personal data with your consent you have the right to withdraw that consent. If you change your mind or are unhappy with our use of your personal data, please let us know by contacting dpo@ebor.academy.

Some of the information we collect about you is classed as special category data under the UK GDPR. The additional conditions that allow for processing this data are:

- Article 9(2)(a) - explicit consent
- Article 9(2)(g) - reasons of substantial public interest (with a basis in law)
- Article 9(2)(c) - we need to protect an individual's vital interests (i.e. protect your life)
- Article 9(2)(e) - the data concerned has already been made manifestly public by you
- Article 9(2)(f) - we need to process it for the establishment, exercise or defence of legal claims
- Article 9(2)(i) - public health (with a basis in law)
- Article 9(2)(j) - archiving, research and statistics (with a basis in law)

The applicable substantial public interest conditions in Schedule 1 of the Data Protection Act 2018 are:

- Condition 6 - statutory and government purposes
- Condition 8 - equality of opportunity or treatment
- Condition 10 - preventing or detecting unlawful acts
- Condition 18 - safeguarding of children and vulnerable people

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information under article 6 (e) of GDPR are:

- The Education Act 1996, 2005 & Education and adoption Act 2016
- Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013
- the Education (School Performance Information)(England) Regulations 2007
- Article 6 and Article 9 (for sensitive data) of the new GDPR laws, provide some of the underpinning purposes for school's data collection.
- To follow DFE guidance on school attendance 2016 and Early Education and Childcare guidance 2018
- regulations 5 and 8 School Information (England) Regulations 2008
- the Education (Pupil Registration) (England) (Amendment) Regulations 2013
- The Children (Performances and Activities) (England) Regulations 2014 Education Regulations 2013
- Children Act 1989 and 2004
- Equalities Act 2010
- Childcare Act 2006 and 2016
- Children, Schools and Families Act 2010
- Academy Funding Agreement and Articles of Association
- Academy's legal and statutory framework
- Safeguarding Vulnerable Groups Act 2006
- The guidance "Keeping Children Safe in Education"
- The Childcare (Disqualification) Regulations 2009
- Public Health, England. The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020

Criminal offence data

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

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

Who do we obtain your information from?

We normally receive this information directly from you, for example via admissions forms, or secure file transfer from a previous school. However, we may also receive some information from the following third parties:

- Department for Education (DfE).
- Local Authority.
- Other agencies working with the child/family, such as Police, Health Services etc.
- A child's previous school

How long do we keep your personal data for?

We keep personal information about you while your child is 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 record retention schedule sets out how long we keep information about parents, children and carers; a copy of this document can be found on the school's website.

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

We will dispose of your personal data securely when we no longer need it.

We may also retain some information for historical and archiving purposes in accordance with our Records Management policy.

Who do we share your personal data with?

We do not share information about you 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 you with:

- other schools and academy trusts in the UK and DfE schools abroad
- local authorities
- Government departments such as the Department for Education (DfE)
- Child Protection Agencies (when necessary)
- NHS such as speech therapy, school nursing service, Test and Trace, National Vaccinations Service and A&E
- Police forces, courts and tribunals
- Pupils' family and representative
- Ebor auditors
- Local Safeguarding Boards
- Schools ICT and our IT suppliers
- Software providers and sub-processors who provide budgeting software or cashless payment systems
- Text and email communication systems
- Catering providers
- App providers such as Class Dojo to enable us to share educational data with families and support learning
- School photographers
- PFI company (where the school buildings are owned by PFI)
- The press
- Virtual School
- Door entry system providers (eg inventry)
- Partnerships and other providers enhancing teaching curriculum provision
- Agencies providing temporary teaching and support staff

- Music and sports coaches
- FSM checker services
- Software providers who provide software to improve the education or safety of our services e.g: we share medical information on Evolve educational visits software so that we can provide access to medical data on trips and assess trip staffing requirements.
- Researchers from reputable organisations
- Our regulator, eg Ofsted and DfE
- The Diocese and York District Board of Education
- Social services
- Children and Family Court Advisory Service (CAFCAS)
- Alternative education providers
- Residential trip providers
- Insurance companies
- Financial organisations
- Businesses auditing our health and Safety provision
- partner schools abroad to help children learn a new language or culture
- Online voting software companies for parent governor elections
- Charities and voluntary organisations
- Teacher trainees and work experience placements
- In the case of the children of services personnel, we may share data with MOD welfare

How do we share pupil and parent information?

We share certain data with 3rd party suppliers such as software providers, music and sports coaches and teacher supply agencies who provide a service to us or our pupils. All our suppliers follow GDPR data processing regulations. To be granted access to pupil information, organisations must comply with GDPR's strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via your local authority for the purpose of those data collections. This data sharing underpins school funding and educational attainment policy and monitoring. All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current government security policy framework. For more information, please see 'How the Government uses your data' appendix A.

We will not without your express consent provide your personal information to any third parties for the purpose of direct marketing.

International transfers of data

Although we are based in the UK, some of the digital information we hold may be stored on computer servers located outside the UK. Some of the IT applications we use may also transfer data outside the UK. Normally your information will not be transferred outside the European Economic Area, which is deemed to have adequate data protection standards by the UK government. In the event that your information is

transferred outside the EEA, we will take reasonable steps to ensure your data is protected and appropriate safeguards are in place.

If you move abroad we may transfer your child's file internationally. This is done using secure transfer methods.

You are also entitled to have your personal information:

- protected and kept secure.
- kept accurate and up to date.
- not used for purposes which are incompatible with those for which it was collected.
- kept only for as long as it is needed for the purpose for which it was collected (unless it must be kept as part of the historic record).

What are your rights?

Under GDPR, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, contact: Wendy Harrington, Data Protection Officer via dpo@ebor.academy

Depending on the lawful basis above, you may also have the right to:

- object to processing of personal data
- prevent processing for the purpose of direct marketing
- In certain circumstances, be notified of a data breach
- be advised who it has been, or will be, shared with
- in certain circumstances, have inaccurate personal data rectified, blocked, restricted, transferred, erased or destroyed; and
- a right to seek redress, either through the ICO, or through the courts

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us. If we cannot resolve your concerns then you may also complain to the Information Commissioner's Office at https://ico.org.uk/concerns/

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. We will make this clear when we ask for consent, and explain how consent can be withdrawn. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting your school office or **dpo@ebor.academy**

Last updated
We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated in November 2024.

Contact

If you would like to discuss anything in this privacy notice, please contact: Wendy Harrington, Data Protection Officer, Ebor Academy, The Leyes, Osbaldwick, York YO10 3PR via dpo@ebor.academy

Appendix A: How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

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

The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in 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.

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

Sharing by the Department
The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit:
https://www.gov.uk/data-protection-how-we-collect-and-share-research-data

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police

please visit the following website: https://www.gov.uk/government/publications/dfe-external-data-shares

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

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