PRIVACY NOTICE – PUPILS AND FAMILIES

WHO PROCESSES YOUR INFORMATION?

Star Academies, who operate the school, is the *Data Controller* of the personal information you provide to us. This means it determines the purposes for which, and the manner in which, any personal data relating to pupils and families is to be processed.

The Head of Governance and Corporate Services is our *Data Protection Officer*. The Data Protection Officer's role is to oversee and monitor our data processing practices. If you have any queries regarding anything in this privacy notice, please contact:

Head of Governance and Corporate Services
Data Protection Officer
Star Academies
Shadsworth Road
Blackburn, BB1 2HT
or email regulatory@staracademies.org

Where necessary, third parties may process pupil and families personal information. Where this is required, Star Academies places data protection requirements on third party processors to ensure data is processed in line privacy rights.

WHY DO WE NEED YOUR INFORMATION?

Star Academies has the legal requirement and a legitimate interest to collect and process personal data of pupils and their families, including those in relation to the following:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to keep children safe
- to meet the statutory duties placed upon us for DfE data collections
- to assess the quality of our services
- to comply with the law regarding data sharing

INFORMATION THAT WE COLLECT, PROCESS, HOLD AND SHARE INCLUDES:

- personal information (i.e. names, unique pupil number and addresses);
- characteristics (i.e. age, gender, language);
- special categories of data (i.e. ethnicity, nationality, biometrics, health);
- free school meal eligibility;
- attendance information (i.e. sessions attended, number of absences and absence reasons);
- assessment information (i.e. national curriculum assessment results);
- behavioural information (i.e. number of temporary exclusions);
- relevant medical information;
- information relating to Special Educational Needs and Disability (SEND);
- safeguarding information;
- CCTV images;
- photographs and video recordings.

COLLECTING PUPIL AND FAMILIES INFORMATION

Whilst the majority of information that you provide to us is mandatory, some of it is provided on a voluntary basis. In order to comply with data protection legislation, we will inform you when your consent is required.

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Pupils and families personal data may be obtained and processed from third parties where the law requires us to do so.

THE LAWFUL BASIS ON WHICH WE PROCESS THIS INFORMATION

- Article 6 1(b) of the GDPR which allows processing that is necessary for the performance of a contract;
- Article 6 1(c) of the GDPR which allows processing that is necessary to comply with a legal obligation;
- Article 6 1(e) of the GDPR which allows processing that is carried out in the public interest;
- Article 9 2(b) of the GDPR which allows the processing of special category data that is necessary for carrying out obligations in the fields of employment and social security and social protection law;
- Article 9 2(g) of the GDPR which allows the processing of special category data that is necessary for reasons of substantial public interest;
- Article 9 2(j) of the GDPR which allows the processing of special category data when it is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

Star Academies maintains *Records of Processing* that identify the lawful basis on which personal information is processed.

STORING PUPIL AND FAMILIES INFORMATION

Personal data is stored securely in line with our Records Management and Data Protection policies. In accordance with data protection legislation it is only retained for as long as is necessary to fulfil the purposes for which it was obtained, and not kept indefinitely.

DATA TRANSFERRED OUTSIDE THE EU

Processors that we use may transfer and hold personal data outside of the EU. We will ensure that organisations who process personal data on our behalf only transfer data to countries that the EU deems as having adequate levels of protection in place. Processors that transfer data to the United States must be covered by the EU-US Privacy Shield. If a processor is found to be transferring data to a country that does not have adequate protections, or to an organisation that is not covered by the EU-US Privacy Shield, we will terminate our contract/subscription.

WHO WE SHARE DATA WITH

We do not share your information with anyone without permission unless the law says we can or should. We share information with the following:

- The Local Council
- Department for Education (DfE)
- Education Skills Funding Agency
- Standards and Testing Agency
- Ofsted
- NHS (e.g. vaccinations and school nursing service)
- Police
- Social Services
- Educational Psychology Department
- Children & Adolescent Mental Health Services (CAMHS)
- Children and Family Court Advisory Service (CAFCAS)
- Careers Advisory Service providers
- Peripatetic services
- Alternative education providers
- Other schools/academies (during pupil transfer)
- Sixth form colleges and other post-16 providers
- Examination Boards
- Library records systems
- Print Management Software providers
- Management Information Systems (e.g. Capita SIMS, SISRA, Safeguarding and accident reporting systems)
- Text and Email communication systems (e.g.Teachers2Parents, InTouch)
- Cashless payment systems (e.g. Biostore)
- Catering Providers
- IT Contractors
- Providers of visitor management and access control systems
- Residential trip organisers and insurers

- Educational trip management system (i.e. Evolve)
- Providers of online learning resources
- Providers of financial management software
- Photography and design agencies

WHAT ARE YOUR RIGHTS?

Pupils and Families have specific rights in relation to the processing of their personal data. You have a legal right to:

- Request access to the personal data that Star Academies holds;
- Request that your personal data is amended if it is inaccurate or incomplete;
- Request that your personal data is erased where there is no legal basis for its continued processing;
- Request that the processing of your personal data is restricted;
- Object to your personal data being processed if it is likely to cause, or is causing, damage or distress.

Requests must be submitted to the Data Protection Officer (on the contact details provided). Star Academies also has a *Subject Access Request Form* that may be obtained from all of its schools. Star Academies will consider all requests in line with your legal rights and our legal obligations.

Where the processing of data is based on explicit consent, there is a right to withdraw consent at any time. This will not affect any personal data that has been processed prior to withdrawing consent.

If you have a concern about the way we are collecting or using personal data, you should raise your concern with the Data Protection Officer in the first instance or directly to the Information Commissioner's Office at https://ico.org.uk/concerns

HOW THE GOVERNMENT USES YOUR DATA

Under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013 we are required to share information about our pupils with the Department for Education.

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;
- supports "longer term" research and monitoring of educational policy.

Data Collection Requirements

To find out more about the data collection requirements placed on us by the Department for Education go to https://www.gov.uk/education/school-censuses-and-slasc

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

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

- schools and local authorities;
- researchers;
- organisations connected with promoting the education or wellbeing of children in England;

- other government departments or agencies;
- organisations fighting or identifying crime.

For more information about the DfE's 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 the DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, the 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), please visit: https://www.gov.uk/government/publications/national-pupil-database-requests-received

If you want to see the personal information held about you by the DfE, you should make a "subject access request". Further information on how to do this can be found within the DfE's personal information charter that is published at the following address: https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

You may contact the DfE with any queries, by visiting: https://www.gov.uk/contact-dfe