

Privacy Notice for Parents and Pupils

How we use your information 2020-21

Who are we?

Tove Learning Trust is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Tove Learning Trust is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: Z7119841.

You can contact the Academy Trust as the Data Controller in writing at:

Tove Learning Trust, c/o Sponne School, Brackley Road, Towcester, Northamptonshire, NN12 6DJ.

What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

What personal information do we process about pupils and parents?

The pupil and parent information that we collect, hold and share includes:

- Personal information including a pupil's name, date of birth, unique pupil number and home address
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Medical and health information such as doctors information, child health, dental health, allergies, medication and dietary requirements.
- Information about a child's home life, where required as part of necessary safeguarding and welfare processes
- Attendance information such as sessions attended, number of absences, and absence reasons and any previous schools attended
- Educational information including records of work, assessment results, details of pupils' special educational needs, exclusions/behavioural information, post-16 learning information
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Contact information for parents, carers and other relatives, including telephone numbers, home addresses and e-mail addresses
- Biometric data (such as child's finger print for the administration of cashless catering systems)
- Personal identifiers and contacts for the purpose of school trips and activities

- CCTV footage for safeguarding purposes

Why do we use personal information?

We use pupil data:

a)	to support pupil learning	In accordance with the legal basis of Public Task ; necessary to perform tasks that schools are required to perform as part of their statutory function and in terms of any special category data, with Article 9 of the GDPR.
b)	to monitor and report on pupil progress	
c)	to provide appropriate pastoral care	
d)	to assess the quality of our services	
e)	to safeguard pupils	In accordance with the legal basis of Vital interest ; to keep children safe i.e. food allergies, required medication, contact details, court orders etc.
f)	to comply with the law regarding data sharing and meet the statutory duties placed upon us by the Department of Education	In accordance with the legal basis of Legal Obligation ; data collected for DfE census information. (see Department for Education in the section – Who we share our data with).
g)	to supply cashless catering school meals services	In accordance with the legal basis of consent ; to store personal identifiers and biometric information such as finger prints for cashless catering systems.
h)	to record parental consent for using pupil photographs and information	In accordance with the legal basis of consent ; to control the use of photographs for internal use and external promotional and marketing purposes.

Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

What are the legal reasons for us to process your personal information?

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

1) To comply with the law

We collect and use general purpose pupil information in order to meet certain legal requirements and legal obligations placed upon the Academy Trust by law. We therefore are required to this process personal information for such purposes even if you have not consented to us doing so.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the Academy Trust in writing.

2) To protect someone's vital interests

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

3) With the consent of the individual to whom that information ‘belongs’

Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

4) To perform a public task

It is a day-to-day function of the Academy Trust to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that pupils are properly educated and supported

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

Special category personal information

In order to process ‘special category’ data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Processing relates to personal data which is manifestly made public by the data subject
- 3) Necessary for establishing, exercising or defending legal claims
- 4) Necessary for reasons of substantial public interest
- 5) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 6) Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of special category personal information data that we process is set out in the tables attached.

Who might we share your information with?

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- local authorities
- the Department for Education (DfE) via secure data collection returns
- school nurses and NHS providers
- youth support services (pupils aged 13+)
- third party software applications necessary for the running of the school i.e. cashless catering software, attendance software, assessment and data reporting software, external photography companies etc.

We do not share information about our pupils or parents unless the law and our policies allow us to do so.

Please refer to the tables for information about what personal information is shared with which specific third parties.

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>.

What do we do with your information?

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. The Academy Trust monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

How long do we keep your information for?

In retaining personal information, the Trust complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the Trust are required to retain the information.

A copy of those schedules can be located using the following link:

<http://irms.org.uk/page/Schools/Toolkit>

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.

What are your rights with respect of your personal information?

Under data protection law, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or to have access to your child's educational record, contact the School Data Protection Officer** at Warwickshire Legal Services via email at schooldpo@warwickshire.gov.uk or alternatively;

School Data Protection Officer
Warwickshire Legal Services
Warwickshire County Council
Shire Hall
Market Square
Warwick
CV34 4RL

****Please ensure you specify which school your request relates to.**

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed
- claim compensation for damages caused by a breach of the Data Protection regulations

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

Review

The content of this Privacy Notice will be reviewed annually or where substantial change is required due to a change in the law. This Privacy Notice was last updated July 2020.

Table 1 – Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Special Category– additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Pupil Information i.e name, age address, emergency contact details, date of birth, gender, first language	Education (Information About Individual Pupils) (England) Regulations 2013, Regulation 3 and 5		Department of Education – school census. Other schools – when pupils transfers SIMS database	Legal Obligation
National Identity, Country of Birth, Nationality	Education Act 1996 Section 537A		Local Authority Department for Education School to which the pupil has transferred	Legal Obligation
Special Education Needs status, start date, details of needs and provision	Children’s and Families Act 2014, section 69 Education (Information About Individual Pupils) (England) Regulations 2013, Regulation 3(2)		Local Authority Department for Education School to which the pupil has transferred SIMS database	Legal Obligation
Attendance register	Education (Pupil Registration)(England) Regulations 2006, Regulation 4, 10, 11 and 12		OFSTED, Local Authority	Legal Obligation
Common Transfer file, Date of admission to school	Education (Pupil Registration)(England) Regulations 2005, Regulation 6		School pupil transfers to	Legal Obligation
Unique Pupil Number	Education Act 1996 Section 537A		Local Authority Department for Education School to which the pupil has transferred SIMS database	Legal Obligation

Safeguarding information	Education Act 2002, section 175 Children's Act 1989, Section 17, 47, 83. Children's Act 2004, Section 11		Local Authority	Legal Obligation
Admissions Register	Education (Pupil Registration)(England) Regulations 2006, Regulation 4, 10, 11, 14 and 15		OFSTED, Local Authority	Legal Obligation
Curricular Record including Assessment and achievement data	Education (Pupil Information) (England) Regulations 2005, Regulation 4		OFSTED, Local School. Local Authority	Legal Obligation
Educational Record	Education (Pupil Information) (England) Regulations 2005, Regulation 5 and 6		Parents, Local school	Legal Obligation
Medical / Dietary / allergies		Necessary for preventative or occupational medicine	Department of Education – school census. Other schools – when pupils transfers	Legal Obligation
School Census	Education Act 1996, Sections 537 & 537A, and accompanying regulations		Department of Education	Legal Obligation
Whether a pupil is looked after and the Local Authority by whom the pupil is looked after	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
Where a pupil has been but is no longer looked after, the type of order resulting in them no longer being looked after	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
Details of exclusions: start and end dates,	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)	n/a	Local Authority Department of Education School to which pupil has	Legal obligation

number of sessions, fixed length/permanent reason for exclusion			transferred	
Parent's names and addresses, telephone number (if pupil usually resides with them)	Education (Pupil Information) (England) Regulations 2005, Regulation 4		Local Authority Department for Education School to which the pupil has transferred	Legal Obligation

Table 2 – Personal information we are required to process as it is necessary to protect someone’s vital interests

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Medical Information including allergies	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent'	Medical staff i.e. paramedics/ambulance	Vital Interest
Religious belief	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent'	Medical staff i.e. paramedics/ambulance	Vital Interest

Table 3 - Personal information we are required to process with the consent of the individual to whom that information 'belongs'

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Pupil images, photographs	n/a	Government agencies, e.g. Department for Education, school photography companies, media	Consent
Biometric data	n/a	Cashless catering system	Consent
Parent mobile telephone number	n/a	Cashless catering system SIMS database	Consent
Parent email address	n/a	Cashless catering system SIMS database	Consent
Parent name, date of birth, NI no, 30 hours eligibility code (nursery children only)	n/a	Local Authority SIMS database	Consent

Table 4 - Personal information we are required to process because it is necessary to do so in order to perform a public task

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Names, telephone numbers and addresses of emergency contacts other than parent(s) with whom pupil resides	n/a	Not shared	n/a
Registration group	n/a	Cashless catering system	Consent
Child Protection and Safeguarding documentation including concern forms and case documentation	n/a	Local Authority	Legal requirement – Children’s Act 1989, sections 17 and 47
		Police	Performance of a public task
Special Educational Needs documentation including SEND provision maps, Personal Learning Plans, Education, Health and Care Plans, reports from external agencies	n/a	Local Authority	Performance of a public task
Dietary restrictions	n/a	Cashless catering payment system	Consent
Medical information including allergies	Necessary for preventative or occupational medicine	School catering provider	Consent
Safeguarding information, Medical, Special Education Needs		Local Authority, Health, Parents	Legal Obligation

