



# St Mary's CE Academy, Walkley

## GDPR Privacy Notice for Pupils and their Families

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 and their families**.

### Who processes your information?

St Mary's CE Academy is the data controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed. The Executive Headteacher (Karole Sargent) & in her absence the Head of School (Karen Miller) acts as a representative for the school with regard to its data controller responsibilities; they can be contacted on 0114 234 4461 or at [enquiries@st-marys.sheffield.sch.uk](mailto:enquiries@st-marys.sheffield.sch.uk).

In some cases, your data will be outsourced to a third-party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school outsources data to a third-party processor, the same data protection standards that St Mary's CE Academy upholds are imposed on the processor.

**Clare Sturman** is the data protection officer for DSAT. Her role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the GDPR. The data protection officer can be contacted on **01709 718640** or [csturman@dsat.education](mailto:csturman@dsat.education)

### Why do we collect and use your information?

St Mary's CE Academy holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To assess the quality of our service
- To comply with the law regarding data sharing

## **Which data is collected?**

The categories of pupil information that the school collects, holds and shares include the following:

- Personal information – e.g. names, date of birth, pupil numbers and addresses
- Characteristics – e.g. ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information – e.g. number of absences and absence reasons
- Assessment information – e.g. national curriculum assessment results
- Medical (such as doctors' information, child health, dental health, allergies, medication and dietary requirements)
- Information relating to SEND
- Behavioural information – e.g. number of temporary exclusions
- Safeguarding information
- Photograph and Film images
- Details of any support received, including care packages, plans and support providers.

We may also hold data about pupils that we receive from other organisations, including other schools, local authorities and the Department for Education.

## **The lawful basis for processing this information is under Article 6 of the GDPR:**

- Public Task – the processing is necessary for the school to perform a task in the public interest or for the official functions, and the task or function has a clear basis in law.
- Consent – the parent/carer has given clear consent for the school to process the pupil's personal data for specific purposes.
- Legal Obligation – processing personal data that is necessary for the legitimate interests of the school or those of a third party.

## **Where special categories of data are collected under Article 9 of the GDPR:**

- The data subject has been given specific consent to the processing of their personal data for one or more specified purposes.
- Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right of data protection and provide for suitable and specific measures to safeguard the fundamental rights in the interests of the data subject.

Whilst the majority of the personal data you provide to the school is mandatory, some is provided on a voluntary basis. When collecting data, the school will inform you whether you are required to provide this data or if your consent is needed. Where consent is required, the school will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

## How long is your data stored for?

Personal data relating to pupils at St Mary's CE Academy and their families is stored in line with the school's **DSAT Trust Retention Schedule**.

In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

## Will my information be shared?

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 our local authority for the purpose of those data collections, 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 pupil consent to the provision of information
- ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils
- helps to ensure that returns are completed by schools

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 Government uses your data' section.

## Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the [Schools Admission Code](#), including conducting Fair Access Panels.

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. The school routinely shares pupils' information with:

- Pupils' destinations upon leaving the school
- The LA (Local Authority)
- The NHS (including the School Nursing Team)
- O Track (Data tracking system)
- Catering contractor
- CPOMS (Child Protection Online Monitoring System)
- Teachers 2 Parents (Text and Parents Evening System)
- The DfE (Department for Education)
- Arbor
- Class Dojo
- Wonde.

The information that we share with these parties includes the following:

- Personal information – e.g. names, pupil telephone numbers, email addresses and postal addresses.
- Characteristics – e.g. ethnicity, languages spoken at home, nationality, country of birth and free school meal eligibility.
- Attendance information – e.g. number of absences and reasons for absence.
- Assessment information – e.g. national curriculum assessment results, PE and Maths Tracking
- Relevant medical information.
- Information relating to SEND
- Behavioural information e.g. number of temporary exclusions.
- Levels of attainment (O-track).
- Updates on Early Years Development

### **What are your rights?**

Parents and pupils have the following rights in relation to the processing of their personal data.

You have the right to:

- Be informed about how St Mary's CE Academy uses your personal data.
- Request access to the personal data that St Mary's CE Academy 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 compelling reason for its continued processing.
- Request that the processing of your data is restricted.
- Object to your personal data being processed.

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

### **Requesting access to your personal data**

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, or be given access to your child's educational record, contact **Clare Sturman (DPO) or the school directly.**

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/>

### **Where can you find out more information?**

If you would like to find out more information about how we and/or the DfE collect, use and store your personal data, please visit the following websites:

DSAT - <https://www.dsat.education/policies>

St Mary's CE Academy - <https://www.st-marys.sheffield.sch.uk/policies-and-documents>

## 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 on **25/01/21**.

## Contact

If you would like to discuss anything in this privacy notice, please contact: **Clare Sturman, Data Protection Officer on 01709 718 640 or [csturman@dsat.education](mailto:csturman@dsat.education)**

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## Declaration

**Pupil Name:** \_\_\_\_\_ **Year:** \_\_\_\_\_

I, ....., declare that I understand:

- St Mary's CE Academy has a legal and legitimate interest to collect and process my personal data in order to meet statutory requirements.

How my data is used.

- St Mary's CE Academy may share my data with the DfE, and subsequently the LA.
- St Mary's CE Academy will not share my data to any other third parties without my consent, unless the law requires the school to do so.
- St Mary's CE Academy will always ask for explicit consent where this is required, and I must provide this consent if I agree to the data being processed.
- My data is retained in line with the school's **GDPR Data Protection Policy**.
- My rights to the processing of my personal data.
- Where I can find out more information about the processing of my personal data.

**Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_