

Privacy Notice (How we use pupil information)

WHAT IS THE PURPOSE OF THIS DOCUMENT?

Under data protection law, schools are currently required to inform pupils and their families about how their personal data may be collected and used. We comply with this right by providing a 'privacy notice' which explains how we collect, store and use personal data about our pupils, in accordance with the General Data Protection Regulation (GDPR).

Fioretti Trust is a "data controller". This means that we are responsible for deciding how we hold and use personal information about our pupils. We are required under data protection legislation to notify you of the information contained in this privacy notice.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, your children or children in your care, so that you are aware of how and why we are using such information and what your rights are under the data protection legislation.

The six data protection principles say that the personal information we hold about our pupils and their families must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

WHAT INFORMATION DO WE COLLECT, RETAIN AND SHARE?

"Personal data" is defined in the GDPR as any information relating to an identified or identifiable natural person. It can include obvious data like your name but also identification numbers, online identifiers and/or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person.

"Special category data" includes data revealing race or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and genetic data, biometric data, data concerning health or data concerning a person's sex life or sexual orientation.

We collect the following personal and/or special category information about you/your family:

- Contact details, contact preferences, date of birth
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs and recordings
- CCTV images captured in school
- Bank account details

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

WHY WE COLLECT AND USE THIS INFORMATION?

We use the data we hold:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care and protect pupil welfare
- to assess the quality of our services
- to administer admissions waiting lists
- to comply with the law regarding data sharing

WHAT IS THE LEGAL BASIS FOR PROCESSING YOUR PERSONAL INFORMATION?

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

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

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

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

Where we have obtained consent to use pupils' 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. Where we are using your consent to process your personal data, you have the right to withdraw that consent at any time. If you wish to withdraw your consent, please contact the GDPR Compliance Officer.

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.

HOW WE STORE OUR PUPIL DATA?

We keep personal information about pupils while they are 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. The Information and Records Management Society's (IRMS) Toolkit sets out how long we keep information about pupils. Therefore, we hold pupil data in line with the IRMS Schools Toolkit (Retention Guidelines page 35)

https://irms.site-ym.com/resource/collection/8BCEF755-0353-4F66-9877-CCDA4BFEEAC4/2016_IRMS_Toolkit_for_Schools_v5_Master.pdf

WHO WE SHARE PUPIL INFORMATION WITH?

We do not share information about pupils 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 pupils with:

- 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)
- The pupil's family and representatives
- Educators and examining bodies e.g. Ofsted
- Financial organisations
- Our auditors

- Security organisations
- Health and social welfare organisations/authorities
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Schools that the pupil's attend after leaving us

WHY WE SHARE PUPIL INFORMATION?

We do not share information about our pupils with anyone without consent unless the law allows us to do so. We share pupils' 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 pupils with the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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)

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.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

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

The department may share information about our pupils 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 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 data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil 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 pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

REQUESTING ACCESS TO YOUR PERSONAL DATA

Under data protection legislation, 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 **our Data Protector Officer (DPO): Chris Stilwell; contactable via email: dataservices@judicium.com or telephone: 0203 326 9174**

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; and
- 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, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office as follows:

- <https://ico.org.uk/concerns/>
- Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
- call: 0303 123 1113

CONTACT

If you would like to discuss anything in this privacy notice, please contact:

our Data Protector Officer (DPO): Chris Stilwell; contactable via email: dataservices@judicium.com or telephone: 0203 326 9174

HOW DO WE MAINTAIN THIS PRIVACY NOTICE?

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

FURTHER INFORMATION

If you would like to discuss anything in this privacy notice, please contact:

Claire Grainger: GDPR Compliance Officer.

Dated: 1st June 2020