

Privacy Notice: Pupils 2024-25

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Approved by:	CFO
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Contents

Policy Statement	3
Scope	3
How we use pupil information	4
Information Requests	4
Collecting pupil information.....	5
Storing pupil information	5
Sharing pupil information	5
Who do we share pupil information with?.....	5
Why do we share pupil information?.....	6
The National Pupil Database (NPD).....	6
Securing your personal data	7
Requesting access to your personal data	7
Withdrawal of consent:.....	8
Contact:.....	8
Breach of Policy.....	8



Policy Statement

This policy outlines Manor Multi Academy Trust's ('we' / 'our' / 'us') expectations in relation to use of pupil data.

We are committed to equality and value diversity. As such we are committed to fulfilling our Public Sector Equality Duty (Equality Duty) obligations and expect all staff and volunteers to share this commitment.

This policy should also be applied in accordance with our Staff Code of Conduct, Dignity at Work, Safeguarding and Child Protection, Safer Recruitment, and ICT Acceptable Use policies and Procedures. Copies of all policies and procedures can be accessed via the **All MAT Staff** area on Teams.

The Equality Duty requires us to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, and victimisation.
- Advance equality of opportunity.
- Foster good relations between people who share protected characteristics, such as age, gender, race and faith, and people who do not share them.

If you consider that any of our practices, policies or procedures may be indirectly discriminatory, you should report your concerns and the basis for them to your line manager, who will take appropriate action and ensure that you receive a written response in respect of the concerns that you have raised.

This policy does not form part of your contract of employment. We reserve the right to amend or withdraw this policy at any time.

We are responsible for ensuring the effective implementation of this policy. As part of equality monitoring we will review and monitor the operation and impact of the policy on a regular basis and in accordance with the policy review date. As part of this monitoring and review this policy will be equality impact assessed.

Scope

This procedure applies to employees, workers, agency workers, consultants, casual workers, contractors and volunteers, whether during working hours or otherwise.

This Policy provides information which underpins our Staff Code of Conduct, and Disciplinary Policy and Procedures. Copies of these policies and procedures can be accessed via the **All MAT Staff** area on Teams.

How we use pupil information

Why do we collect and use pupil information?

We collect and use pupil information under section 537A of the Education Act 1996, and section 83 of the Children Act 1989. We also comply with Article 6(1)(c) and Article 9(2)(b) of the UK General Data Protection Regulation (UK GDPR).

We use pupil data:

- ✓ to support pupil learning
- ✓ to monitor and report on pupil progress
- ✓ to provide appropriate pastoral care
- ✓ to assess the quality of our services
- ✓ to safeguard the child in all aspects
- ✓ to comply with the law and statutory duties regarding data sharing (DFE)
- ✓ to support you to decide what to do after you leave school
- ✓ to effectively communicate with pupil families and carers
- ✓ to communicate with additional support service providers surrounding the child

Categories of pupil information that we collect, hold and share include:

- ✓ personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- ✓ characteristics (such as ethnicity, language, and free school meal eligibility)
- ✓ safeguarding information (such as court orders and professional involvement)
- ✓ special educational needs (including the needs and ranking)
- ✓ medical and administration (such as doctors' information, child health, dental health, allergies, medication and dietary requirements)
- ✓ attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- ✓ assessment and attainment (such as Key Stage 1 and Phonics results, post 16 courses enrolled for and any relevant results)
- ✓ behavioural information (such as exclusions and any relevant alternative provision put in place)
- ✓ Images will be taken and used in assessment software to monitor the development of your child

This list is not exhaustive.

Information Requests

Exemptions and Confidential References:

Under the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018, there are exemptions that allow organisations like ours to withhold certain information in specific circumstances. These exemptions are not a "one size fits all" solution; rather, they need to be considered on a case-by-case basis.

1. Why Exemptions Matter:
 - The UK GDPR and the Data Protection Act 2018 outline exemptions from various rights and obligations related to personal data processing.
 - An exemption often depends on the purpose for which you process personal data.
2. What Are Exemptions?
 - The DPA 2018 provides several exemptions, detailed in [Schedules 2-4](#).
 - Exemptions such as the right to be informed, the right of access, and dealing with other individual rights.
 - Some exemptions apply to specific aspects, while others can exempt our organisation from multiple requirements.
3. Confidential Employment References:
 - Schedule 2 of the Data Protection Act 2018 gives employers an exemption for “confidential employment references.”
 - What does this mean? As an employer, we can withhold certain employment references without violating data protection rules.

As an education organisation we MUST use **Safeguarding** as a strict exemption if we feel releasing personal information under any request could put any child, family members or employee associated with the request at risk. This also includes whether redactions have been made for any information, this would still be considered a risk.

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 UK 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.

Storing pupil information

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please contact our DPO dpo@manormat.com.

Sharing pupil information

Who do we share pupil information with?

We may routinely share limited required pupil information with:

- ✓ schools or other education establishments that the pupils attend after leaving us
- ✓ all associated Local Authorities for which the school location resides
- ✓ commissioned providers of Local Authority Services
- ✓ children support services

- ✓ the Department for Education (DfE)
- ✓ 3rd Party Companies Operating a Service Level Agreement or contract with School (UK GDPR Compliant)

Why do we share pupil information?

We do not share information about our pupils with anyone without consent unless the law and our policies allow 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.

To find out more about the data collection requirements placed on us by the DfE (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

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.

The National Pupil Database (NPD)

The NPD is owned and managed by the DfE 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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-databaseuser-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 and 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 the organisations to which the Department has provided pupil information, (and for which project), please visit the following website:

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

Securing your personal data

We operate secure procedures to protect all personal information of all individuals. The processes include the secure handling and destroying of any manual records as well as the use of ICT and enhanced protection of our IT infrastructure security. The MAT Data Protection Policy, Cyber Security Policy and Online Safety Policy outline in more detail the methods used to ensure personal data remains secure in every possible way. All staff attend training and adhere to our policies relating to security.

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 dpo@manormat.com

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)

- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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/>

Withdrawal of consent:

Where we are processing your child's personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting [your](#) child's school where we can action this. Please be mindful that education establishments are unable to allow full consent withdrawal of sharing information as this is a legal obligation.

Contact:

If you would like to get any further clarification on the information about your child that we share with the DfE or how they use your information, please contact:

Name: Neil Beards

Email: dpo@manormat.com

Address: Manor Multi Academy Trust
Ettingshall Road
Wolverhampton
West Midlands
WV14 9UQ

Telephone: 01902 556460

Website: <http://www.manormat.com>

To contact the DfE, please visit: <https://www.gov.uk/contact-dfe>

Breach of Policy

For staff, any breaches of this Policy will be managed under the Trust's Disciplinary Policy and Procedure, which can be located in the **All MAT Staff** area on Teams.