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# **PRIVACY NOTICE – PARENTS**

## **Use of your child’s personal data**

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**Reviewed & Approved by:** Board of Trustees

**Date Approved:** 27<sup>th</sup> February 2024

**Next review due:** January 2026

Under data protection law, individuals have a right to be informed about how the Trust uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils**.

We, The Epsilon Star Multi Academy Trust, are the 'data controller' for the purposes of data protection law. Our Data Protection Officer is Jordan Aldridge (see 'Contact us' below).

### **The personal data we hold**

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Contact details contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, 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
- CCTV images captured in Trust.

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

### **Why we use this data**

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

## Our legal basis for using this data

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)

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.

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.

## Collecting this information

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

## How we store this data

We keep personal information about pupils while they are attending our Trust. We may also keep it beyond their attendance at our Trust if this is necessary in order to comply with our legal obligations. Our record retention policy sets out how long we keep information about pupils.

If you would like to receive a copy of our data retention policy, please email [jaldridge@epsilonstar.co.uk](mailto:jaldridge@epsilonstar.co.uk) and specify how you wish to receive it.

## Data sharing

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:

- Online educational subscriptions – (MyOn, TT Rockstars..etc)
- Child Protection software online (CPOMS, to meet our legal obligations to share certain information, such as safeguarding concerns and exclusions)
- The Department for Education – Trust performance
- The pupil's family and representatives
- Educators and examining bodies
- Our regulator - OFSTED
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations – (Travel Insurance etc..)
- Central and local government – National pupil census
- Our auditors
- Security organisations

- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

### Data sharing with 3<sup>rd</sup> parties

Under the crime and taxation exemption and the safeguarding of a vulnerable person, the Trust is required to provide personal data upon request to certain external 3<sup>rd</sup> parties.

Under these powers the Trust is not required to inform you of the data sharing if it may prejudice an investigation, the bringing of a case or cause possible harm to an individual.

### These external parties include:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- Health authorities – (PHE Public Health England)
- Police – In the investigation of a crime or prevention of a crime.
- HMRC – To investigate or collect outstanding taxes.

### National Pupil Database

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census and early years census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on Trust performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including other Trusts/schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

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### Transferring data internationally

Where we transfer personal data to a country or territory outside the United Kingdom, we will do so in accordance with safeguards as outlined within the Data Protection Act 2018.

### Parents and pupils' rights regarding personal data

Individuals have a right to make a '**subject access request**' to gain access to personal information that the Trust holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

If you make a subject access request, and if we do hold information about you or your child, we will, within one month, but without undue delay;

- Inform you if the request is complex and therefore will require additional time, an additional two months, up to a maximum of three months from the date of request.
- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child

- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

### **Your request maybe refused by the Trust if:**

Under exemptions within the Data Protection Act 2018, the Trust may refuse a subject access request in certain circumstances, including:

- You make a request but then offer to withdraw it in return for some other benefit.
- You have made an accusation of wrong doing against a member of staff or the Trust.
- Your request has been defined as malicious in intent, designed to harass the Trust for no other reason than to cause disruption.
- The information, if disclosed, would cause possible harm to an individual.
- Your request is deemed to target a particular member of staff.
- The information requested is processed with the understanding it is confidential.
- The information was provided as part of an educational, work or volunteering reference.
- The information requested is defined as management records and disclosing them would prejudice the operations of the Trust.
- The information requested has been provided to a 3<sup>rd</sup> party and to fulfil the request would prejudice the case or investigation.

If the Trust makes the decision to refuse your request, you will be informed within 30 days of receipt of the request as well as your right to complain to the Information Commissioners Office.

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our Data Protection Officer, Jordan Aldridge.

### **Other rights**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send to direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing

To exercise any of these rights, please contact our Data Protection Officer.

### **Complaints**

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113

- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Officer**:

- Jordan Aldridge – [jaldridge@epsilonstar.co.uk](mailto:jaldridge@epsilonstar.co.uk)  
01268 750 555