

Privacy Notice

Under the UK GDPR and Data Protection Act 2018, 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 parents.

Shaw Primary Academy is the 'data controller' for the purposes of Data Protection law.

Our Data Protection Officer is Andy Crow, dpo@dpoforeducation.co.uk

The personal data we hold

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

- Contact details, contact preferences, date of birth, identification documents
- Bank account details, payroll records, National Insurance number and tax status information
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as eligibility for free school meals, or special educational needs
- Exclusion information
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records

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
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Comply with the law regarding data sharing

Our legal basis for using this data

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

- We need to comply with a legal obligation
- Fulfill a contract with you
- Carry out a task in the public interest

Less commonly, we may also process 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)
- We have legitimate interests in processing the data – for example, where:
 - Fraud prevention
 - Ensuring network and information security

Where we have obtained consent to use 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 personal data overlap, and there may be several grounds which justify our use of this data.

Collecting this information

While most of the 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 school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. We follow the Information and Records Management Society's Toolkit for schools, click here [Information and Records Management Society's toolkit for schools](#)

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:

- The Department for Education - to meet our legal obligations as part of data collections such as the School Census
- Local authorities such as Thurrock Council.
- The pupil's family and representatives – in case of emergencies such as a health matter
- Educators and examining bodies – necessary for the performance of our education function
- Our regulator, Ofsted – to enable it to evaluate the education we provide to your child/ward, which is in the public interest
- Suppliers and service providers – to enable them to provide the service we have contracted them for

- Follow on schools/other schools – which your child/ward attends after leaving their current Academy, in the public interest of delivering education
- Our auditors – to meet our finance obligations as part of a statutory requirement ie Annual Report and Accounts
- Health and social welfare organisations/third parties – to enable us to comply with our duty of care and statutory safeguarding duties for your child/ward's welfare. This may include Therapists, Clinical Psychologists, Academy Medical Staff, CAHMS (Child and Adolescent Mental Health Service), School Counsellors, Social Care, Educational Welfare Office (EWO)
- Professional bodies – necessary for the performance of our education function
- Police forces, courts, tribunals – in order to uphold law and order

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.

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 school 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 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.

Transferring data internationally

We may transfer personal data that we collect from you to third-party data processors in countries that are outside the UK. If we do this, we have procedures in place to ensure your data receives the same protection as if it were being processed in the UK. For example, our contracts with third parties stipulate the standards they must follow at all times.

Any transfer of your personal data will follow applicable laws and we will treat the information under the guiding principles of this Privacy Notice.

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Data Security and Confidentiality

Protecting the confidentiality and integrity of your personal data is a responsibility that we take seriously. We use appropriate technical and organisational measures to keep personal data secure against unauthorised or unlawful processing, and against accidental loss, destruction or damage. For example

- Shaw Academy Trust's employees have received training in Data Protection and how to handle your personal data
- Access to your personal data is restricted to the relevant employees that are required to process your data
- We endeavour to be a paperless school, however if hard copies are created, these are securely stored.
- Your personal data will be periodically reviewed and securely deleted if required
- Internal systems and networks are regularly tested

Photographs and Media

As part of our activities, we may take photographs and allow external organisations to take photographs or to film within our school. You will be made aware when this is happening and the context in which the photograph will be used, and consent will be sought from parents at the start of each school year.

We will take photographs for use by the school. Usually these will be unnamed and will generally be for internal School use but may also include photographs for publications such as:

- Photographs included in the School's Prospectus
- Photographs to be used on display boards which can be seen by visitors to the school
- Photographs posted on the school's official social media sites such as Twitter and its own website. Such sites can be accessed by the public and will therefore require close monitoring by School staff to ensure they are appropriate.

Named photographs will be used for internal use where there is a clear lawful basis for doing so ie, for identifying pupils such as medical or safeguarding requirements.

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 school 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:

- 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

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.

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 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
- Claim compensation for damages caused by a breach of the data protection regulations

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 the school directly or our **Data Protection Officer**:

- Andy Crow, dpo@dpoforeducation.co.uk Tel 01702 660234