



PRIVACY NOTICE FOR PUPIL AND PARENTS

Attain Academy Partnership (herein referred to as the 'Trust') is the Data Controller for the purpose of data protection law. The 'Trust' comprises of Bocking Primary School, Cressing Primary School, de Vere Primary School, Elm Hall Primary School, Gosfield Community Primary School, Newlands Spring Primary & Nursery School and Rayne Primary & Nursery School (herein referred to as the 'Academy').

The Trust is committed to keeping personal information safe and secure. This privacy notice is intended to provide information about how the Trust will use or "process" personal data about individuals including current, past and prospective pupils ("pupils") and their parents, carers or guardians (referred to in this notice as "parents") collected in the provision of education at the Trust

1. Responsibility for data Protection

We, Attain Academy Partnership, are the 'data controller' for the purposes of data protection law. Please see below for details of our Data Protection Officer.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work in our Trust. We take the security of your data seriously. We have internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed and is not accessed except by its employees and service providers in the performance of their duties. Please see below for details of our Data Protection Officer.

The headteacher / head of school in each Academy is responsible for ensuring that their Academy complies with Trust's policies and procedures in relation to Data Protection. This policy has been written with consideration given to working practices. By adopting this policy, a reduction in workload has been facilitated by reducing the need for individual academies to interpret the policy locally.

2. The categories of personal information that we collect, hold and share

We process data relating to pupils and their parents/carers at our Trust / Academy. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Personal information (such as name, unique pupil number, DOB, and address)
- Characteristics (such as language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences, absence reasons and previous schools attended)
- Data regarding educational performance, assessment and achievement (National curriculum assessment data and internal assessment data)
- Behavioural records including any exclusions and any relevant alternative provision put in place
- Information on where pupils go after they leave
- Any safeguarding information (such as court orders, professional involvement, Health & Safety reports and child protection)
- Parental arrangements (adoption / fostering/ special guardianship orders / child arrangement orders / service child status)
- Data regarding the management of trip and extra-curriculum activities (such as consents and current medical issues, voluntary contributions made)
- Provision of educational software in support of teaching and learning

- Catering information (such as attendance and meals taken)
- Images, such as pupil photographs and videos, and CCTV (to safeguard individuals and for general security only)
- Relevant family information (such as parents names, contact details including telephone numbers, address, email and place of work, parental responsibility, Home visits notes, details of parents nominated emergency contact details – names and relationship).
- Information required in order to meet our statutory requirements for statutory returns and audit.

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

- Relevant medical and administration information (such as doctors information, child health, allergies, medication and dietary information)
- Any special educational needs information (including needs, Education, Health and care plans and Statements)
- Race, ethnicity and religion

3. The lawful basis on which we use this information

We collect and use the information under the following lawful bases:

1. Public interest: The Trust considers that it is acting in the public interest when providing an education. This means that processing is necessary for the public interests of the Trust except where processing is unfair to the pupil. The Trust relies on public interests for most of the ways in which it uses personal information. Specifically the Trust has a public interest in
 - Providing pupils with an education
 - Safeguarding and promoting pupil welfare
 - Providing services and support to parents
 - Promoting objects and interests of the Trust and its Academies.
 - Facilitating the operation of the Academy, including managing services, financial and monitoring the quality of our services
 - Training and managing the employment of staff to deliver services
 - Ensuring that all relevant legal obligations of the Academy are complied with.
2. Legitimate interests: This means that processing is necessary for legitimate interests of the Trust except where processing is unfair to the pupil. The Trust relies on legitimate interests when performing non-public tasks. Specifically the Trust has a legitimate interest in
 - Promoting objects and interests of the Trust and its Academies. This includes fundraising.
3. Legal obligation: This means processing is necessary in order to comply with a statutory obligations, for example
 - to fulfil the Education Act 1996 and Regulation 5 of [The Education \(Information About Individual Pupils\) \(England\) Regulations 2013](#) whereby a school census is required by law
 - to fulfil the Education Act 1996 whereby the provision of free school meals to disadvantaged pupils is required
 - to comply with the Equality Act 2010
 - to comply with DfE statutory guidance [Keeping Children Safe in Education](#) as required by Section 7 in part 3 of [The Education \(Independent School Standards\) Regulations 2014](#) which applies to academies

- to fulfil our duty to support pupils with medical conditions as per Section 100 of the [Children and Families Act 2014](#)
- 4. Contractual: This means processing is necessary in order to fulfil a contract that you have entered into with us, for example a lettings agreement, a hire agreement.
- 5. Vital interest: This means processing was necessary to protect the vital interest of you or the pupil in an emergency, for example to prevent serious harm or death.
- 6. Consent: The Trust may ask for consent to use personal data in other ways not covered by (1) to (5) above. For example, consent for the use of pupil images for any purpose other than for the pupil record or where automated decision making/ profiling are integral to the method employed in data processing will always be sought. If we ask for your consent to use yours or your child's personal information you can take back this consent at any time. Any use of personal information before you withdraw your consent remains valid.

The Trust must also comply with an additional condition where it processes special categories of personal information (Article 9 of the GDPR). These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, health information, and information about sex life or orientation. This information will be used under the following bases:

1. Legal obligation: This means processing was necessary to fulfil a legal obligation as detailed above.
2. Public Interest: This means processing was necessary for reasons of substantial public interest.
3. Vital interests: This means processing is necessary to protect the vital interests of the individual where the person is physically or legally incapable of giving consent.
4. Legal claim: This is where processing is necessary for the Trust, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.
5. Medical purposes: This is where processing is necessary for medical treatment and the management of healthcare services
6. Consent: This is where explicit consent has been given for the processing of personal information for one or more specified purposes. This will not include purposes prohibited under Data Protection Laws.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use our data.

4. Why we collect and use personal information

We collect and hold personal information relating to our pupils within the Academies and may also receive information about them from their previous school, Local Authority and / or the Department of Education (DfE). We may receive information about them from childcare voucher providers to whom you subscribe.

We use the personal data to:

- support admissions to the Academy
- provide pupils with an education including extra-curricular activities
- monitor and report on pupil progress and educational needs
- provide appropriate pastoral, and where necessary medical, care
- enable pupils to take part in national or other assessments, and to publish the results of public assessments or other achievements of pupils at the Academy
- maintain relationships with the academy community
- help with the management planning and forecasting, research and statistical analysis and to enable us to monitor the Trust's performance

- monitor use of the Trust's IT systems in accordance with the Academy's Acceptable Use Policy.
- receive information about current and prospective pupils from any educational institution that they attended.
- confirm the identity of prospective pupils and their parents.
- use photographic or video images of pupils in learning journeys or in school displays for legitimate educational purposes. Photographs for promotional use or for use in Academy newsletters or Academy website or other websites or media will only be used with pupils'/ parents' permission.
- create invoices and process payments for services such as school meals, school trips etc.
- for security purposes, and for regulatory and legal purposes (for example child protection and health and safety) and to comply with its legal obligations.
- receive reports from any organisation that may be working with your child.
- where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the Academy.
- to keep you updated about the running of the school (such as emergency closures), events or activities including by sending updates and newsletters by email and post.
- administer admissions waiting lists
- deliver and manage services
- assess the quality of our services
- comply with the law regarding school information and data sharing, such as in the School Census and Local Authority data captures
- for the protection and welfare of pupils and others in the Academy, including our safeguarding and child protection obligation
- for the safe and orderly running of the Academy
- monitor and report on pupil behaviour
- support and communicate with parents
- in order to respond to investigations from our regulators or to respond to complaints raised by our stakeholders
- in connection with any legal proceedings threatened or commenced against the Trust and/or Academy

5. Use of personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information by email or text promoting academy events, campaigns, charitable causes or services that may be of interest to you. This may include relevant and appropriate information about fundraising events held by the academy PTA or other local charities, or information about local commercial or not for profit services such as holiday clubs, child-friendly activities or other children's services. You can withdraw consent or 'opt out' of receiving these emails and/or texts by contacting your academy office or updating your preferences in SIMS Parent App, where available.

We commission school photographers to take photos of pupils which are uploaded to our student information management systems (SIMS). You may be offered these photographs for purchase through such service providers but there is no obligation to buy your child's photograph. We always obtain data sharing agreements for any such providers. We never sell your data.

6. Collecting personal information

Pupil data is essential for the Academy's operational use. Most pupil information is collected via registration forms when they start at the Academy, however some is collected and /



amended as they progress through the Academy and some is securely provided to us by their previous school when they join us.

Whilst the majority of personal information you provide to us is mandatory in line with your parental responsibility, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation (GDPR) and the Data protection Act 2018, we will inform you whether you are required to provide certain personal information to us or if you have a choice in this at the point it is collected. If information is mandatory we will explain what might happen if you don't.

In addition, when a child joins us from another school, we will receive a secure file containing relevant information called a Common Transfer File (CTF).

We ask parents to keep pupil information up to date by informing the Academy office or through SIMS Parent App where available.

CCTV cameras are used for security purposes and for the protection of staff and pupils. Their use is governed by our CCTV policy. CCTV footage will only be processed to the extent that it is lawful to do so.

7. Storing personal data

We do not store personal data indefinitely; personal data is kept for as long as necessary to fulfil the purposes for which it was collected for, including for the purposes of satisfying any legal, accounting, insurance or reporting requirements.

Details of retention periods for the different categories of personal data are available in our Data Retention Policy on the [Trust](#) website. Subject to the exceptions detailed in the Data Retention Policy, pupil data will be transferred to the pupil's new school and deleted from our records.

We can keep pupil information for longer if we need this for historical, research or statistical purposes.

We maintain pupil information in both paper and electronic form. To ensure the information is kept safe the following controls/limitations are in place:

- Information will not be used for any other purpose than those stated in the notice.
- The information will be held only within the Academy to which the individual has been assigned.
- The information will be held within secure systems/locations, with appropriate levels of security that comply with relevant data protection legislation.
- When using personal data for research purposes, the information will be anonymised / pseudonymised to avoid the identification of an individual, unless you have given consent for the data for the research project.
- The information will only be shared for lawful purposes and with an appropriate level of security that complies with relevant data protection legislation.
- The information will be held, used and shared in accordance with Data Protection legislation and the General Data Protection Regulation (GDPR).

8. Who we share personal information with

We share data for the reasons listed above (Why we collect and use this information). We will never sell your data.

We do not share personal information about you with anyone outside the school without permission, unless the law and our policies allow us to do so.

We use a range of companies and partners, known as Third Party Contractors, to either store personal information or to manage it for us. Where we have these arrangements due diligence is taken to ensure that the organisation complies with data protection law.

Where it is legally required, or necessary for another reason allowed under data protection law we may share personal information about pupils with:

- Schools that the pupil's attend after leaving us
- Our local authority - to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The pupils family and representatives
- Ofsted (Office for Standards in Education)
- The Department for Education (DfE), including the Standards and Testing Agency, Analyse School Performance and the DfE's Secure Access S2S
- Health authorities such as the School nurse and other medical professionals
- Educators and examining bodies
- Health and social welfare organisations Social services
- Survey and research organisations
- Specialist SEN services
- Charity and Voluntary organisations in support of pupils needs, such as Kids Inspire
- Professional bodies, advisors and consultants
- Police forces, courts, tribunals
- Financial organisations
- Our auditors
- Our ICT support suppliers, including United Net Connect, Laser Tech, Cablers Ltd, and Education Software Solutions (ESS) Ltd, who support us SIMS and other ICT services.
- Third Party Contractors, such as Atomwide Ltd, ESS Ltd, eduFOCUS Ltd, Eduspot, FFT Education Limited, Juniper Education, Premier Sports and Rocksteady Music School, and Online Educational Service providers such as CPOMS Systems Ltd, Foundation Stage Forum Ltd, New Era Education Ltd, ParentPay Ltd, Pearson Education Ltd, Class Twist Inc, Maths Circle Ltd, Nessy Learning Ltd, Oxford University Press, Sumdog Ltd, Lexia Learning Systems LLC, London Grid for learning (LGfL), Languagenut Ltd, Renaissance Reading Ltd, Seesaw Learning Inc. and The Spelling Shed Ltd. A full and up to date list for each Academy can be found at any time on the Academy's website.
- Other partners such as peripatetic music teachers
- The Multi-Academy Trust and the academies within it.

This list is not exhaustive.

In the event that we share personal data with third parties, we will provide the minimum amount necessary to fulfil the purpose for which we are required to share the data.

We do not sell personal data to any organisation for the purposes of selling products.

9. Why 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. When you give your consent for your child's personal information to be held and/or shared for any purpose you can withdraw that consent at any time by contacting the Data Protection Officer (See contact details below).



We share pupil information with Third Party Contractors on a public interest basis. Less commonly we may also share information on a consent basis. This data sharing enables the Trust and/or the Academy to manage and process pupil data, to provide services to parents/carers, and to provide pupils with access to identified educational tools.

We share pupils' data with the 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.

We share staff and pupil / parent information with Ofsted as part of their assessment of an academy or the Trust to ensure that we are delivering our teaching requirements and objectives. More details with regards to the data Ofsted use and how they use it is available on their website (<https://www.gov.uk/government/publications/ofsted-privacy-notice/schools-ofsted-privacy-notice>)

We may still share your information if we believe that someone is at risk. However, the risk must be serious before we go against your right to confidentiality. If this is the case, we will ensure that we record what information we shared and our reasons for doing so. We will let you know what we have done and why as soon as or if we think it is safe to do so.

10. Data collection requirements from the Department of Education

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 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-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>

11. Transfer of personal information outside of the EU

We do not share or store data in countries with no UK-equivalent privacy law protections. If we were to receive a request to send information outside of the UK, additional protection will be applied to the data and where the recipient country does not have an adequacy decision from the European Commission, advice will be sought from the Information Commissioners Office prior to the data being sent.

12. Requesting access to your personal data

Parents and pupils have the following rights in relation to the processing of their data. You have the right to:

- Be informed about how the Trust and/or the Academy uses your personal data
- Access the personal data the Trust and/or the Academy holds about them. When we receive a request in writing, we must normally give you access to everything we have recorded about you. However, we will not let you see any parts of your record which contains:
 - Confidential information about other people
 - Data that an information professional thinks will cause serious harm to your or someone else's physical or mental wellbeing
 - Data that may adversely affect the prevention or detection of crime if it were disclosed to you
- Change information you believe to be inaccurate. We may not always be able to change or remove information you disagree with however we will correct factual inaccuracies and may include your comments in the records.
- Be forgotten. In certain circumstances you can request the erasure of personal information used by the Trust however this does not extend to using your personal data where:
 - It is required by law

- It is used for exercising the right of freedom of expression
- It is in the public interest in the area of public health
- It is for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes where it would seriously affect the achievement of the objects of the processing
- It is necessary for the establishment, defence or exercise of legal claims.

Where personal information has been shared with others, we will make every reasonable effort to ensure those using your personal data comply with your request for erasure.

- Restrict what your information is used for. You may restrict its use when one of the following apply:
 - You have identified inaccurate information, and have notified us of this
 - Where using the information is unlawful and you wish to restrict rather than erase the information
 - Where you have objected to us using the information, and the legal reason for us using your information has not yet been provided to you.

When information is restricted it cannot be used other than to securely store the data, and with your consent, to handle legal claims, protect others or where it is important public interests of the UK

You have the right to request that the Trust/Academy stop using your personal data for some services. However, if this request is approved it may cause delays or prevent us delivering a service to you. Where possible we will seek to comply with your request, but we may need to hold or use information in connection with one of more of our legal functions.

You have the right to prevent processing for the purpose of direct marketing.

- Object to decisions being taken by automated means (by a computer and not human) unless it is required for any contract you have entered into, required by law, or you have consented to.
- Object to being profiled. Profiling is where decisions are being made based on certain things in your personal information. If and when the Trust/Academy uses your personal information to profile you, you will be informed.

Parents have the right to exercise these rights on behalf of their child where the child is deemed too young to look after their own affairs. If you would like to exercise these rights on behalf of you or your child, contact the Data Protection Officer (See Contact details below).

Where the processing of data is based on consent, you have the right to withdraw this consent at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

These rights are further explained in our Data Protection Policy available in the Data protection section on the [Trust](#) website. Anyone wishing to exercise these rights may do so by contacting the academy office or our Data Protection Officer. **Please see the 'Contacts' section below.**

Please note: Anyone wishing to make a subject Access Request for personal information which the government or DfE process should be made directly to them (www.gov.uk/contact-dfe).

13. Use of your personal data in automated decision making and profiling

Automated decision making refers to a decision which is taken solely on the basis of automated processing of your personal data. If you are a prospective Free School Meals



(FSM) Claimant, we may use the third party LGfL FSM Eligibility Checker to determine eligibility. This uses automated decision-making with the equivalent of legal effect based on the Department of Education and Department of Work and Pensions policies.

14. Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting dpo@attain.essex.sch.uk.

15. 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 the academy in the first instance.

If you would like to make a complaint, please contact our Data Protection Officer (See Contact details below).

If you still have concerns following our response you have the right to raise the matter directly with the Information Commissioner's Office:

Postal Address	Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Email	https://ico.org.uk/concerns/handling/
Phone Number	0303 123 1113

16. Contact

If you would like to discuss anything in this privacy notice or make a Subject Access Request, please contact the Data Protection officer

Data Protection Officer	Mrs Ellwood
Postal Address	Attain Academy Partnership, c/o Newlands Spring Primary and Nursery School, Dickens Place, Chelmsford CM1 4UU
Email	DPO@attain.essex.sch.uk

Please ensure you include the name of the School in all correspondence with the DPO

17. Last updated

We may need to update the privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on **3 April 2022**