



## **Elevate SOWERBY PRIMARY ACADEMY Privacy Notice**

The new General Data Protection Regulations will be enforced from 25 May 2018 to replace the current Data Protection Act.

Sowerby Primary Academy and Elevate Multi Academy Trust takes its responsibility under the GDPR extremely seriously to ensure that we meet and comply with our obligations in the use of, processing and holding of personal data.

Elevate Multi Academy Trust are the registered data controller for all of our Academies.

The Data Protection Officer is Dianne Mousley. [D.mousley@elevatemat.org](mailto:D.mousley@elevatemat.org).

### **Privacy notice for parents/carers**

Under data protection law, individuals have a right to be informed about how Sowerby Primary Academy uses any personal data that they hold about them. Sowerby Primary Academy complies 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 the Sowerby Primary Academy collect, store and use personal data about children.

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

Personal data that Sowerby Primary Academy may collect, use, store and share (when appropriate) about children 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, 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;

Sowerby Primary Academy may also hold data about children we have received from other organisations, including other schools, local authorities and the Department for Education.

### **Why Sowerby Primary Academy uses this data**

*Sowerby Primary Academy* uses 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;

### **Sowerby Primary Academy's legal basis for using this data**

Sowerby Primary Academy only collect and use children's' 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 children's' 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 children's' 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 children's personal data overlap, and there may be several grounds which justify our use of this data.

### **Collecting this information**

While the majority of information Sowerby Primary Academy collects about children is mandatory, there is some information that can be provided voluntarily.

Whenever Sowerby Primary Academy 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 Sowerby Primary Academy store this data**

Sowerby Primary Academy keep personal information about children while they are attending the Academy. We may also keep it beyond their attendance at the Academy if this is necessary in order to comply with our legal obligations. Elevate Multi Academy Trust and their Academies use the Information and Records Management's Society toolkit as their retention schedule). This Schedule sets out how long we keep information about children.

To view a copy of the schedule and any other GDPR statutory policies please go to [www.Meadowside.n-yorks.sch.uk](http://www.Meadowside.n-yorks.sch.uk) and click on Elevate MAT.

### **Data sharing**

Sowerby Primary Academy do not share information about children 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) Sowerby Primary Academy may share personal information about children with:

- The local authority – to meet the Academy's legal obligations to share certain information with it, such as safeguarding concerns and exclusions;

- Elevate Multi Academy Trust and their other Academies;
- The Department for Education;
- The pupil's family and representatives:
- Educators and examining bodies;
- Schools pupils attend after leaving us;
- Our regulator, e.g. Ofsted;
- Suppliers and service providers – to enable them to provide the service we have contracted them for;
- Financial organisations;
- Central and local government;
- External and internal auditors appointed by Elevate Multi Academy Trust;
- Survey and research organisations;
- Health authorities;
- Security organisations;
- Health and social welfare organisations;
- Professional advisers and consultants;
- Charities and voluntary organisations;
- Police forces, courts, tribunals;
- Professional bodies;

### **National Pupil Database**

Sowerby Primary Academy is required to provide information about children 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**

Where Sowerby Primary Academy transfers personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

### **Parents and children's rights regarding personal data**

Individuals have a right to make a '**subject access request**' to gain access to personal information that Sowerby Primary Academy 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.

Parents also have the right to make a subject access request with respect to any personal data Sowerby Primary Academy holds about them.

If you make a subject access request, and if Sowerby Primary Academy does 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:

d.mousley@elevatemat.org

### **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 **Data Protection Officer**:

[d.mousley@elevatemat.org](mailto:d.mousley@elevatemat.org)