

## Privacy Notice (How we use pupil information)

You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

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

We, Mounts Bay Academy, are the data processor. Leading Edge Academies Partnership is the data controller for the purposes of data protection law.

Our Data Protection Officer is David Teasdale (see 'Contact Us' below).

### The categories of pupil information that we process 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 such as internal tests, student progress information, examination results)
- Medical information (such as allergies, required medication, medical incidents that have occurred inside and outside of school that may affect learning or safety, physical or mental health needs)
- Special Educational Needs and Disabilities information (such as specific learning difficulties, medical and learning needs)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Transport arrangements (such as bus number and route)
- First aid incidents and accident information
- Other, including photographic images, audio and video recordings, CCTV images, Biometric data
- The provision of music or other tuition
- The provision of trips or activities

### Why we collect and use pupil information

We collect and use pupil information, for the following purposes:

- to support pupil learning
- to monitor and report on pupil attainment progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us for DfE data collections

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing pupil information:

We collect and use student information under GDPR, Article 6(1):

1. Where it is necessary for compliance with a legal obligation on the academies to educate the data subject or that the data subject has given consent to the processing of his or her personal data for one or more specific purposes.
2. Where processing is necessary for the performance of tasks carried out in the public interest. It is in the public interest to provide educational services to our pupils and to offer extracurricular activities such as, but not limited to, reading sessions, afterschool clubs to benefit the personal and academic growth of our pupils or where we engage with universities and other educational establishments that offer enrichment.
3. Where processing is necessary for the purposes of the legitimate interests, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data. This may include matters such as supporting student learning above by recording lessons and making the recording available to pupils where a pupil cannot attend a lesson (e.g. because the pupil is ill or the relevant parent is unavailable to supervise),
4. Personal data will be collected and/or processed for the purposes of relevant contracts for the provision of services which are paid for. This may include but is not limited to:
  - The provision of music tuition
  - School trips
  - Entering students for examinations

We do not process any special categories of personal data except where necessary for reasons of substantial public interest in complying with legal obligations (including under the Equality Act 2010), or where necessary to protect the vital interests of the data subject or of another natural person and where safeguards are in place to ensure that this personal data is kept secure. For the avoidance of doubt where special categories of personal data are collected it shall not be used for the purposes of automated decision making and/or profiling.

Special categories of data mean personal data revealing:

- Race
- Ethnic origin
- Politics
- Religion
- Trade union membership
- Genetics
- Biometrics (where used for ID purposes)
- Health Page
- Sex life
- Sexual orientation.

Further personal data including special categories of personal data may be collected and/or processed where consent has been given (for example, school photographs for non-educational purposes and engagement with social media). If consent is the only legal basis for processing and has been given, then this may be revoked in which case the personal data will no longer be collected/processed.

## Collecting pupil information

We collect pupil information via pupils or their parents/carers. For example, this may be via

Admissions forms or Common Transfer File (CFT) from your previous school.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

## Storing pupil data

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 click here for our Data Protection Policy: <http://mountsbay.org/policies/>

## Who we share pupil information with

We do not share personal information about you with anyone outside the school without permission from you or your parents/carers, unless the law and our policies all us to do so.

We may share pupil information with:

- Schools that pupils attend after leaving us
- Other educational establishments and alternative provision
- Our local authority
- The Department for Education (DfE)
- Ofsted
- Examination boards
- Your family and representatives
- Suppliers and service providers
- Financial organisations
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

## 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. 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. 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.

Data collection requirements: 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>.

## Youth support services

### Pupils aged 13+

Once our pupils reach the age of 13, we also pass pupil information to our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- youth support services
- careers advisers

The information shared is limited to the child's name, address and date of birth. However, where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child / pupil once they reach the age 16. Data is securely transferred to the youth support service .

For more information about services for young people, please visit our local authority website [www.cornwall.gov.uk](http://www.cornwall.gov.uk).

## Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

## 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 the Principal.

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 or complaint 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/>.

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

## **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. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Principal.

To make a complaint, please contact our data protection officer David Teasdale at [dteasdale@leadingedgeacademies.org](mailto:dteasdale@leadingedgeacademies.org)

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

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

## **Last updated**

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated November 2021.

## **Contact Us**

If you would like to discuss anything in this privacy notice, please contact: Les Hall, Principal via his PA Helen Rodgers at [hrogers@mountsbay.org](mailto:hrogers@mountsbay.org) on 01736 363240 or our Data Protection Officer, David Teasdale at [dteasdale@leadingedgeacademies.org](mailto:dteasdale@leadingedgeacademies.org).

## How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

## Data collection requirements

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)

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

## Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>.

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>.

## How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>.