

Privacy Notice for Parents and Pupil – Rugby Free Secondary School

How we use your information

2020/21

Who are we?

Learning Today Leading Tomorrow is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Learning Today Leading Tomorrow is registered as the Data Controller with the Information Commissioner's Office (ICO);
Registration Number: ZA138738.

You can contact the Academy Trust as the Data Controller in writing at:

Learning Today Leading Tomorrow

Rugby Free Secondary School

Anderson Avenue

CV22 5PE

Or

info@learningleading.org

What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

What personal information do we process about pupils and parents?

The pupil and parent information that we collect, hold and share includes:

- Personal information including a pupil's name, date of birth, unique pupil number and home address
- Characteristics such as ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information such as sessions attended, number of absences and absence reasons
- Admissions information
- Educational information including records of work, assessment results, relevant medical information, details of pupils' special educational needs, exclusions/behavioural information, post-16 learning information
- Contact information for parents, carers and other relatives, including telephone numbers, home addresses and e-mail addresses
- Information about a child's home life, where required as part of necessary safeguarding and welfare processes
- Biometric Information for the cashless catering system at Rugby Free Secondary School
- CCTV recordings in common areas

Why do we use personal information?

We use pupil data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Assess the quality of our services
- Comply with the law regarding data sharing
- Safeguard pupils
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing
- Safeguard pupils
- To share medical information with health professionals

Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

What are the legal reasons for us to process your personal information?

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

1) To comply with the law

We collect and use general purpose pupil information in order to meet certain legal requirements and legal obligations placed upon the Academy Trust by law. We therefore are required to process personal information for such purposes even if you have not consented to us doing so.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the Academy Trust in writing.

2) To protect someone's vital interests

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

3) With the consent of the individual to whom that information 'belongs'

Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

4) To perform a public task

It is a day-to-day function of the Academy Trust to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that pupils are properly educated and supported.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

Please be aware that an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting the school/academy trust to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, the

school/academy trust will consider the reasons for the objection and balance this against the legitimate grounds to process data

5) We have a legitimate interest

Occasionally we have reasons to process information which fall outside of our usual day-to-day school functions. Details of the type of processing that we may undertake on this basis are set out in Table 5. In certain circumstances an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting the Learning Today Leading Tomorrow to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, the Learning Today Leading Tomorrow will consider the reasons for the objection and balance this against the legitimate grounds to process data.

Special category personal information

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- Explicit consent of the data subject
- Processing relates to personal data which is manifestly made public by the data subject
- Necessary for establishing, exercising or defending legal claims
- Necessary for reasons of substantial public interest
- Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of special category personal information data that we process is set out in the tables attached.

Who might we share your information with?

We routinely share pupil information with:

- Schools that the pupils attend after leaving us
- Our local authority
- The Department for Education (DfE)
- Local Public Health Team
- NHS and NHS Test and Trace
- Public Health and other public health agencies
- Information Management software: SIMS, ClassCharts, CPOMS, ParentPay, BioStore, Salamander and ParentMail

- Education/classroom apps: Microsoft Office, BeReady Careers, PiXL Apps, Century Tech, Mathswatch and Hegartymaths, GCSEHub
- Examination Boards including AQA, OCR, WJEC Eduqas, NCFE, Pearson Edexcel
- Educaterers (outsourced catering service) and Colwyn Technologies (managed IT Service)
- Local Services including Rugby Food Bank, the local Compass Team at Warwickshire County Council, the local educational psychologist team and Warwickshire Education Services
- Conferencing software for homework and home learning: Microsoft Teams
- Other organisations as part of our extra-curricular offer including DofE and Warwickshire Music Service
- Analytical software including ALPS and SISRA

We do not share information about our pupils or parents unless the law and our policies allow us to do so.

Please refer to the tables for information about what personal information is shared with which specific third parties.

Prospects

We regularly share information with Prospects who carry out a service on behalf of the Local Authority. The Local Authority has a responsibility to ensure the continued education and training of all persons under the age of 18 years within the local authority area. The law states that education establishments must share certain information in order for Local Authorities to carry out this duty, however individuals can opt out of sharing some of the information which has been highlighted below. Should individuals object to the sharing of this information, they should inform the school of their objections.

The following data is shared in a number of returns:

A(1) Cohort Data 1 – A list return of all students

Details of all students in Year 11, Year 12 and Year 13, including anyone repeating a year or ahead a year.

Contents of Return:

If NOT instructed against the sharing of data by a Parent or Student in response to privacy notice;

Unique Learner Number, Unique Pupil Number, First Name, Last Name, Date of Birth, Address, Postcode, Gender, Ethnicity, Home Phone Number (Student and/or Parent), Mobile Number (Student and/or Parent), School Email Address, Student's Private Email Address, Parents Private Email Address, Are you aware if the Student is in care? (Y/N), Is the student taking Alternative Provision? (Y/N), Is the Student is receipt of and EHCP or SEN Support, Mental Health Flag (Y/N).

If instructed by a Parent or Student in response to privacy notice that you MUST NOT share data;

Unique Learner Number, Unique Pupil Number, First Name, Last Name, Date of Birth, Address, Postcode

A(2-8)Cohort Data Checks

Checking and updating details of all students in Year 11, Year 12, including anyone repeating a year or ahead a year.

Contents of Return:

If NOT instructed against the sharing of data by a Parent or Student in response to privacy notice;

Unique Learner Number, Unique Pupil Number, First Name, Last Name, Date of Birth, Address, Postcode, Gender, Ethnicity, Home Phone Number (Student and/or Parent), Mobile Number (Student and/or Parent), School Email Address, Student's Private Email Address, Parents Private Email Address, Are you aware if the Student is in care? (Y/N), Is the student taking Alternative Provision? (Y/N), Is the Student is receipt of and EHCP or SEN Support, Mental Health Flag (Y/N).

If instructed by a Parent or Student in response to privacy notice that you MUST NOT share data;

Unique Learner Number, Unique Pupil Number, First Name, Last Name, Date of Birth, Address, Postcode

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>.

NHS Test and Trace/Public Health Agencies:

It may be necessary for us to share limited information with the above agencies in the event that an individual tests positive for the Coronavirus, or if there is an outbreak. This will enable the named agencies to liaise with families to provide advice and support, and to take appropriate steps in responding to an outbreak. You have the right to object to the sharing of information with such agencies. This is not an absolute right and will be assessed on a case by case basis.

COVID-19 – Data Collection Requirements

It may be necessary for us to share limited information with the Department of Public Health if an individual tests positive for Coronavirus, or if there is a Coronavirus outbreak. This will enable the named agencies to liaise with families to provide advice and support, and to take appropriate steps in responding to an outbreak.

What do we do with your information?

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected The Academy Trust monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

How long do we keep your information for?

In retaining personal information, the Academy Trust has a [Records Management and Retention Policy](#). The schedules set out the Statutory Provisions under which the Academy Trust are required to retain the information.

Transferring data internationally

Where we transfer personal data to a country or territory outside the UK, we will do so in accordance with data protection law. We intend only to share to countries that have an adequacy decision. Where we share data to the USA, which

includes Microsoft Office, we use Standard Contractual Clauses as a secure transfer mechanism, under Article 46 of the GDPR.

What are your rights with respect of your personal information?

Under data protection law, 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 to have access to your child's educational record, contact the Trust directly via email at sar@learningleading.org or alternatively;

Learning Today Leading Tomorrow

Rugby Free Secondary School

Anderson Avenue

Rugby

CV22 5PE

****Please ensure you specify which school your request relates to.**

Where the school/academy trust process data for the purposes of legitimate interests or to fulfil their public task, individuals have a right to object to the processing where it is likely to cause, or is causing, harm or distress. When exercising this right, individuals should contact the school/academy trust to inform them of their reasons for their objection. The school/academy trust will consider the reasons for any objection and assess the risk to the individual against the purposes for the processing. In the event the school/academy trust is unable to comply with an objection, we will ensure we can demonstrate compelling legitimate grounds to continue with the processing.

You also have the right to:

- Object to processing of personal data that is likely to cause, or is causing, damage or distress
- Prevent processing for the purpose of direct marketing
- Object to decisions being taken by automated means
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed
- Claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern 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/>

Review

The content of this Privacy Notice has been updated in line with advice for COVID-19. The next full review will take place in March 2022

Table 1 – Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Special Category– additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Special Education Needs Report and SEND Information	Children and Families Act 2014, Part 3 - schools have a duty to keep information on the child's needs and provide the appropriate support Education Act 1996, Part 4 - duty to provide for pupils with special educational needs	Public Task, Vital Interest	Local Authority, DfE	Legal Obligation Children and Families Act
Attendance register	Education (Pupil Registration)(England) Regulations 2006, Regulation 4, 10, 11 and 12	Public Task	OFSTED, Local Authority, future school	Legal Obligation
Common Transfer file	Education (Pupil Registration)(England) Regulations 2005, Regulation 6		School pupil transfers to	Legal Obligation
Safeguarding information	Education (Independent School Standards) Regulations 2014 - requirement to maintain safeguarding by writing up a risk assessment policy	Public Task	Local Authority	Legal Obligation
			CPOMS	Public Task

Admissions Register	Education (Pupil Registration)(England) Regulations 2006, Regulation 4, 10, 11, 14 and 15		OFSTED, Local Authority	Legal Obligation
Curricular Record including Assessment and achievement data	The Education (Independent School Standards) Regulations 2014, regulation 32(f) - requirement for independent schools to produce an annual report	Public Task	OFSTED, Local School. Local Authority	Legal Obligation
Educational Record	Education (Pupil Information) (England) Regulations 2005, Regulation 5 and 6		Parents, Local school	Legal Obligation
Pupil Information i.e name, age address, Emergency contact details	Education (Pupil Information) (England) Regulations 2005 - to keep a pupil educational record		Department of Education – school census. Other schools – when pupils transfers	Legal Obligation
Medical Information including conditions, allergies, disabilities and dietary requirements	Legal Obligation Children and Families Act 2014, section 100 - schools have a duty to support pupils with a medical condition	Necessary for preventative or occupational medicine	Department of Education – school census. Other schools – when pupils transfers	Legal Obligation
			Educaterers	Public Task
School Census	Education Act 1996, Sections 537 & 537A, and accompanying regulations		Department of Education	Legal Obligation
Ethnicity	Legal Obligation Education Act 1996, Section 537A - to complete the school census	necessary for archiving, research and statistics Public Task	Local Authority, DfE	Legal Obligation
			ClassCharts, CPOMS, SIMS	Public Task
Free School Meal Entitlement		Public Task	Local Authority, DfE	Local Authority, DfE

	Legal Obligation Education Act 1996, section 512 - requirement to provide free school meals if the pupil is eligible		ClassCharts, CPOMS, SIMS	Public Task
Exclusion Information	Legal Obligation School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, Regulation 5 - the head teacher must inform the relevant people of the exclusion		Local Authority, Future School	Legal Obligation School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, Regulation 5 - the head teacher must inform the relevant people of the exclusion, including LA
Accident Forms	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 - to keep records of any incidents		Local Authority	Legal Obligation
Previous School	Legal Obligation Education (Pupil Information) (England) Regulations 2005, Schedule 2 Paragraph 4- requirement to include this when pupil information is transferred to a new school as part of the common transfer file		Local Authority, DfE, SIMS, Future School,	Public Task

Table 2 – Personal information we are required to process as it is necessary to protect someone’s vital interests

Information	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
-------------	---	--	---------------------------

Type			
Medical Information	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent' Public Task, Legal Obligation	Medical staff i.e. paramedics/ambulance	Vital Interest
Religious belief	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent' Public Task	Medical staff i.e. paramedics/ambulance	Vital Interest

Table 3 - Personal information we are required to process with the consent of the individual to whom that information 'belongs'

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Photographs	Public Task	Government agencies, eg Department for Education, The Warwickshire Consortium Teaching School Social Media including Facebook, Twitter and Instagram	Consent
		SIMS, ClassCharts, BioStore	Public Task
Biometric Code	Public Task	BioStore	Public Task

Table 4 - Personal information we are required to process because it is necessary to do so in order to perform a public task

Please note that the right to object applies to **some** of this processing, please see the section above that refers to '*What are your rights with respect of your personal information?*

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Pupil Information i.e name, age, DOB, address, gender, EAL Status, Emergency contact details, year / class group		Department of Education – school census. Other schools – when pupils transfers	Legal Obligation
		ClassCharts, CPOMS, SIMS ParentPay, BioStore, GCSEPod, Libresoft Librarian and ParentMail The Student Voice	Public Task
		Agencies RFSS may share student and parental contact information with may include CAMHS, WCC Specialist Teacher Services, AIM Education, Rugby Families First, Warwickshire Compass Team, Taking the Lead, Taking the Reigns, Brooke School Farm, Refuge, Northants Service Six, Educational Psychologist Team, MIND, WCC SENDIAS, WCC Children and Families Services, Area Behaviour Information, RASH, WCC Family Information Services, Primary Mental Health Team, Early Help, Bradbury Club, EMTAS, MASH, RBC Housing Dept, Changing Futures, Rugby Preventing Homelessness, Improving Lives, Triple P, PCSO	
		DofE and Warwickshire Music Service	Consent
Full name and DOB		AQA, OCR, WJEC, JCQ A2C, Pearsons Edexcel. WJEC, Eduqas, NCFE	Public Task
Full name and school email address		Microsoft Office, BeReady Careers, PiXL Apps, Century Tech, Mathswatch and Hegartymaths, Salamander, UniFrog	Public Task
Full Name, year group and attainment/progress records made on platform		Lexia	Public Task
Pupil Information and progress data		ALPS, SISRA	Public Task

Information required for COVID-19 Track and Trace: Name and contact details, DOB, Year group and parent contact number and result of COVID-19 testing.	Necessary for reasons of public health	Public Health NHS Test and Trace	Public Task
Information required for Covid-19 testing in school: Name. Date of birth, year group, Gender, Ethnicity, Home, postcode, Email address, Mobile number, Unique barcode assigned to each individual test and which will become the primary reference number for the tests, Test result, Parent/guardians contact details (if required)	Legal Obligation - para 7 of the Schedule to Education (Independent School Standards) Regulations 2014 Reasons of public interest on public health grounds	Department of Health and Social Care, NHS, Public Health England Your GP Local Authority	Legal Obligation - Regulations 3(1) and (4) of the Health Service (Control of Patient Information) Regulations 2002
Academic Progress data including Leuven data, wellcom data, Learning journals, staff observations		OFSTED, Parents, Health such as Speech and Language	Public Task & Legal Obligation

Safeguarding information, Medical, Special Education Needs	Legal Obligation	Local Authority, Health, Parents	Legal Obligation
		SIMS, ClassCharts and CPOMS	Public Task
Educational and Safeguarding Information used internally for the purpose of educating and protecting the welfare of children.		SIMS and CPOMS, The Student Voice (Referrals Made)	Public Task

Table 5 - Personal information we process because we have a legitimate interest.

Please note that the right to object will apply to some of this processing, please see the section above that refers to ‘*What are your rights with respect of your personal information?*’

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information.	Lawful reason for sharing
Images captured on our CCTV system.	n/a	This is not shared routinely.	n/a