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Privacy Notice for Pupils

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1. Introduction

1.1 Under data protection law, you have a right to be informed about how the School use any personal data that is held about you. We, Michaela Community School, comply with this right by providing a **Privacy Notice** to you where we are processing your personal data.

2. Document purpose

2.1 The purpose of this Privacy Notice is to explain how we collect, store and use personal data about you.

3. Data controller and processors

3.1 Michaela Community School is the **Data Controller** for the purposes of data protection law and therefore will determine the purposes for which personal data is processed (the 'why' and the 'how'). Authorised 3rd parties, e.g. ParentPay, process and 'use' data on behalf of (under the supervision/control) the School and are therefore **Data Processors**.

3.2 The School's **Data Protection Officer** is Victoria Squire and her contact details are at Section 18.

3.3 The School will ensure that your personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

4. The categories of personal data we hold

4.1 The School holds personal information about you to make sure we can help you learn and look after you at school.

4.2 For the same reasons, we get information about you from some other places too - like other schools, the local council and the government.

4.3 The information we hold on you includes:

- **Personal information**, including name, unique pupil number, address and contact details, and carer's details.
- **Your characteristics**, such as ethnicity, language, nationality, country of birth and religion.
- **Attendance information**, such as sessions attended, number of absences and absence reasons.
- **Information from social services**, such as safeguarding information or care status.
- **Test results**, including National Curriculum assessment results and Academy examination results.
- **Special educational needs information** and free school meal eligibility.
- Any relevant **medical conditions** or disabilities you have.
- Details of any **behaviour issues** or exclusions.
- **Destinations** of where you intend moving on to once you've left the School.
- **Other**, including Photographs, CCTV images captured in School



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5. Why we use this data

5.1 We use this data to help run our School, including to:

- Support your learning.
- Look after your wellbeing.
- Check how you're doing in exams and work out whether you or your teachers need any extra help.
- Get in touch with you and your parents when we need to.
- Track how well the school as a whole is performing.
- Provide appropriate pastoral care.
- Protect vulnerable individuals.
- Prevent and detect crime.
- Provide references for employment.

6. Our lawful basis for using this data

6.1 We will only collect and use your information when the law allows us to. Most often, we will use your information where:

- We need to comply with the law.
- We need to use it to carry out a task in the public interest (i.e. in order to provide you with an education).

6.2 Sometimes, we may also use your personal information where:

- You, or your parent/carer have given us permission (consent) to use it in a certain way.
- We need to protect your health interests (or someone else's interest).

6.3 Where we have got permission (consent) to use your data, you or your parent/carer may withdraw this at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent.

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

7. Collecting this information

7.1 While in most cases you, or your parent/carer, must provide the personal information we need to collect, there are some occasions when you can choose whether or not to provide the data. We may also receive information from previous schools, the Local Authority(s) and/or the Department for Education (DfE).

7.2 For students enrolling post 14 years of age, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning qualification.

7.3 We will always tell you if the provision of personal information is optional. If you must provide the data, we will explain what might happen if you don't.

8. How we store this data

8.1 We will keep personal information about you while you are a pupil at the School. We will also keep



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it after you have left the School, where we are required to by law.

- 8.2 We have a **Record Retention Policy**, which sets out how long we must keep information about pupils

9. Data sharing

- 9.1 We do not share personal information about you with any third party without your permission (consent) unless the law and our policies allow us to do so.

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

- **The Local Authority** - to meet our legal obligations to share certain information with it, such as concerns about pupil's safety and exclusions.
- **The Department for Education** (a government department) - to meet our legal obligations as part of data collections such as the School Census (more detail below).
- **Your family or representatives** - in case of emergencies such as a health matter.
- **Follow on schools** - which you may attend after leaving your current school in the public interest of delivering education.
- **Youth Support Services** - as it has legal responsibilities regarding the education or training of 13-19 year-olds.
- **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 you, which is in the public interest.
- **Suppliers and service providers** - to enable them to provide the service we have contracted them for.
- **Health and social welfare organisations / third parties** - to enable us to comply with our duty of care and statutory safeguarding duties for your wellbeing, including:
 - Therapists, clinical psychologists.
 - School counsellors.
 - CAMHS (Child and Adolescent Mental Health Service).
 - Social care.
 - Educational Welfare Officer (EWO).
- **Police forces, courts, tribunals** - in order to uphold law and order.

10. Department for Education

- 10.1 We are required to provide information about you to the Department for Education (a government department) as part of data collections, such as the School Census. To find out more about the pupil information we are required to share with the department, for the purpose of data collection, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

National Pupil Database

- 10.2 Some of this information is then stored in the **National Pupil Database**, which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research. The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.
- 10.3 The Department for Education may share information from the database with other organisations which promote children's education or wellbeing in England. These organisations must agree to strict



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terms and conditions about how they will use your data.

- 10.4 You can find more information about this on the Department for Education's webpage on how it collects and shares research data. <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>.
- 10.5 You can also contact the Department for Education online via <https://www.gov.uk/contact-dfe> if you have any questions about the database.

11. Youth support services

- 11.1 Once you reach the age of 13, we are legally required to pass on certain information about you to the local authority or youth support services provider in your area, as it has legal responsibilities regarding the education or training of 13-19 year-olds.
- 11.2 This information enables it to provide youth support services, post-16 education and training services, and careers advice.

12. Transferring data internationally

- 12.1 Where we share data with an organisation that is based outside the European Economic Area, we will protect your data by following data protection law.
- 12.2 This would only happen if one of your parents lives abroad or if you move to a new school abroad. If this happens we will be very careful to make sure that it is safe to transfer your information. We will look at whether that other country has good data protection laws for example. If we cannot be sure that it is safe then we will talk to you and your parents about it and make sure that you are happy for us to send your information.
- 12.3 As this is not something we normally do and we don't know which country we might need to send your information to, we cannot tell you more about it now, but if we want to transfer your data to a different country then we will tell you whether or not we think it is safe and why we have decided that.

13. Photographs and media

- 13.1 As part of our School activities, we may take photographs and allow external organisations to take photographs or to film within the School. You will be made aware that this is happening and the context in which the photograph will be used.
- 13.2 The School will take photographs for its own. Usually these will be unnamed and will generally be for internal School use, but may also include photographs for publication, such as:
- Photographs included in a School prospectus.
 - Photographs to show as slides at an event for parents.
 - Photographs to be used on display boards, which can be seen by visitors to the school.
 - Photographs posted on the School **official** websites such as Twitter and Facebook sites. Such sites can be accessed by the public and will therefore require close monitoring by School staff to ensure they are appropriate.
- 13.3 When a photograph intended for publication is taken, you will be informed that a photograph is being



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taken and told what it is for so that you can object if you so wish.

13.4 Named photographs will be used for internal use where there is a clear lawful basis for doing so e.g. for identification purposes such as a student, staff or visitor security pass, safeguarding requirements and as part of exclusion behaviour data.

13.5 For all other purposes, if the School wants to use named photographs then it will obtain specific pupil consent first.

14. CCTV

14.1 Schools operate CCTV on their premises. This is considered necessary to protect staff and pupils' safety and/or School property.

15. Your rights

How to access personal information we hold about you

15.1 You can find out if we hold any personal information about you, and how we use it, by making a **Subject Access Request**, as long as we judge that you can properly understand your rights and what they mean. If you want to make a request please contact your Academy **Data Champion** in the first instance or ask your Tutor.

15.2 If we do hold information about you, we will:

- Give you a description of it.
- Tell you why we are holding and using it, and how long we will keep it for.
- Explain where we got it from, if not from you or your parents.
- Tell you who it has been, or will be, shared with.
- Let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person).
- Give you a copy of the information within **one month** of receipt of the request.

15.3 You may also ask us to send your personal information to another organisation electronically in certain circumstances.

Your other rights over your data

15.4 You have other rights over how your personal data is used and kept safe, including the right to:

- Say that you don't want it to be used if this would cause, or is causing, harm or distress.
- Stop it being used to send you marketing materials.



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- Say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person).
- Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it.

16. Complaints

16.1 We take any complaints about how we collect and use your personal information very seriously

16.2 You can make a complaint at any time by contacting the Federation **Data Protection Officer**.

16.3 You can also complain to the Information Commissioner's Office in one of the following ways:

- 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.

17. Contact details

17.1 If you have any questions, concerns or would like more information about anything mentioned in this Privacy Notice, please contact the **Data Protection Officer**

Victoria Squire

Data Protection Officer info@mcsbrent.co.uk