



# ILKLEY GRAMMAR SCHOOL

A MOORLANDS LEARNING TRUST SCHOOL

## Moorlands Learning Trust Privacy Notice for Parents/Carers and Pupils

This notice explains what personal data we hold about pupils and their parents/carers, how we collect it, and how we use and may share information. We are required to notify you of this information under data protection legislation. Please ensure that you read this notice (sometimes referred to as a 'privacy notice') and any other similar notice we may provide to you from time to time when we collect or process personal information about you.

### Who collects your information and why

Moorlands Learning Trust (MLT) is a data controller and collects and processes personal data relating to pupils and their parents/carers. We process personal data in order to meet the requirements set out in UK law, including those in relation to the following:

- Academy Funding Agreement and Articles of Association
- Academy's legal and statutory framework
- Safeguarding Vulnerable Groups Act 2006
- The guidance "Keeping Children Safe in Education"
- The Childcare (Disqualification) Regulations 2009
- Education Act 1996
- Education Act 2005

### How we collect personal data

We collect personal data from parents/carers for example, when a registration form is filled out, and from previous schools at the time that the pupil joins Ilkley Grammar School. We may also collect data from medical professionals and other agencies with whom we may work.

The categories of pupil and parent/carer information that we may collect, hold and share include:

- Personal information (such as name, unique pupil number, contact details and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment information (such as results of internal assessments and externally set tests)
- Pupil and curricular records
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Special educational needs (including the needs and ranking)
- Safeguarding information (such as court orders and professional involvement)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

We may also collect, store and use information about your child that falls into 'special categories' or more sensitive personal data. This includes information about (where applicable): race, ethnicity, religious beliefs, sexual orientation, health, including any medical conditions, and sickness records.

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.

Where we have obtained consent to use pupils' 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.

### **Why we collect personal data and what we do with it**

We use pupil and parent/carer data:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- Protect pupil welfare
- To keep children safe (food allergies, or emergency contact details)
- Administer admissions waiting lists
- Carry out research
- To assess the quality of our services
- To comply with the law regarding data sharing

### **The lawful basis on which we use this information**

We collect and use pupil and parent/carer information under article 6 EU GDPR and, for special category data, under article 9 EU GDPR. Most commonly, we process it where:

- We need to comply with a legal obligation (for example Departmental Censuses under the Education Act 1996 <https://www.gov.uk/education/data-collection-and-censuses-for-schools>)
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way (for example photographs)
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time

### **Storing pupil data**

We hold pupil and parent/carer data whilst pupils attend Ilkley Grammar School. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our Data Protection Policy contains further information; this is available on our school website.

We will only retain personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of personal data, the purposes for which we process personal data and whether we can achieve those purposes through other means, and the applicable legal requirements, including the Records Management standards.

### **Who we share pupil information with**

- Schools that the pupil attends after leaving us
- Local authority (LA)
- The Department for Education
- Youth support services (pupils aged 13+)
- Educators and examining bodies
- Our regulator (Ofsted)

- Suppliers and service providers – to enable them to provide the service we have contracted them for\*
- Health authorities, professional advisers and consultants
- Police forces, courts, tribunals

\*Where necessary, third parties may be responsible for processing pupils' personal information. Where this is required, MLT places data protection requirements on those third party processors to ensure data is processed in line with pupils' privacy rights.

### **Youth support services**

Once our pupils reach the age of 13, we also pass pupil information to our LA 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.

A parent/carer can request that only their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the pupil once he/she reaches the age of 16.

We will also share certain information about pupils aged 16+ with our LA and/or provider of youth support services as they have responsibilities in relation to the education of training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- Post-16 education and training providers
- Youth support services

For more information about services for young people, please visit the Bradford Council website.

### **The National Pupil Database (NPD)**

The NPD is owned and managed by the DfE 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. 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 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 and 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. Decision on whether DfE release 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 arrangement 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>

### **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. **Your rights**

Parents/carers and pupils have rights under data protection laws in relation to their personal data. Those rights are listed below. Please contact us if you would like to exercise any of 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. You have the right to:

- **Request access** to your personal data (a "data subject access request"). This means you can receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of your personal data: This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure of your personal data.** You can ask us to remove personal data where there is no good reason for us continuing to process it. You also have this right where you have successfully exercised your right to object to processing, where we may have processed your data unlawfully or where we are required to erase your personal data to comply with law. We may not always be able to comply with your request where there are particular legal reasons.
- **Object to processing** of your personal data where we rely on a legitimate interest basis and if the processing impacts on your fundamental rights and freedoms. You can also object to direct marketing. In some cases, we may demonstrate that we have grounds to process your data which override your rights and freedoms.
- **Request restriction of processing.** You can ask us to suspend the processing of your personal data: if you want us to establish the data's accuracy; where our data use is unlawful but you do not want us to erase it; where you need us to hold the data even if we no longer need it, to establish, exercise or defend legal claims; or you have objected to use of data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request a data transfer.** We will provide to you, or your chosen third party, your personal data in a structured, commonly used, machine-readable format. This only applies to automated information which you provided consent for us to use or necessary to perform a contract with you.

**Withdraw consent at any time** where we rely on consent to process your personal data. This will not affect the lawfulness of processing carried out prior to withdrawing consent.

If you have any questions or require further information about this privacy notice, including any requests to exercise your data privacy rights or your child's privacy rights, please address your query in writing to:

Data Protection Officer (our current DPO is Alison Kaye)

**Address:** Ilkley Grammar School, Cowpasture, Road, Ilkley, West Yorkshire, LS29 8TR

**Email:** [alison.kaye@ilkleygs.co.uk](mailto:alison.kaye@ilkleygs.co.uk)

You also have the right to lodge a complaint with the Information Commissioner's Office (ICO) which is the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, like the opportunity to assist you with any concerns before you approach the ICO so please contact us in the first instance using the details above.