



## WESTBOURNE ACADEMY

### GDPR Privacy Notice for Parents

All schools have been advised to inform parents and carers about the rules governing data held on pupils. The information below sets out how Westbourne Academy operates within the legal requirements and legitimate interests set out in the GDPR (General Data Protection Regulations) and UK law. We hope you find it helpful.

#### Who processes your information?

Westbourne Academy is the data controller of the personal data you provide to us. This means the academy determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed.

In some cases, we may share your data with an outsourced third-party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the academy outsources data to a third-party processor, the same data protection standards that Westbourne Academy upholds are imposed on the processor.

Claire Pritchard (Academy Transformation Trust) is the data protection officer. Her role is to oversee and monitor the academy's data protection procedures, and to ensure they are compliant with the GDPR. The data protection officer can be contacted via [office@westbourne.atrust.org.uk](mailto:office@westbourne.atrust.org.uk)

#### Why do we collect and use your information?

Westbourne Academy holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE. We collect and use personal data in order to process the data lawfully and as set out in the GDPR (Article 6 and Article 9) and UK law, including those in relation to the following:

For non-special/non-sensitive data:

- in relation to a contract for education with you and contained in the Education Act 1996
- in relation to secondary education under Limitation Act 1980
- in relation to management of the school under the Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002 SI 2002, No 1171
- in relation to School Admissions Code, Statutory guidance for admission authorities, governing bodies, local authorities, school's adjudicators and admission appeals panels December 2014
- in relation to Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

For special /sensitive data:

- in relation to the protection of children under the "Keeping children safe in education statutory guidance for schools and colleges 2016"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children 2015"
- in relation to the safeguarding of children under the Safeguarding Act 2006 In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:
  1. Where we are required to by law, including: To support pupil learning
    - To monitor and report on pupil progress
    - To provide appropriate pastoral care
    - To comply with the law regarding data sharing
    - To the Government agencies, including the police
    - To obtain relevant funding for the academy
    - To safeguard pupils
    - To provide or obtain additional services including advice and/or support for your family.

2. Where the law otherwise allows us to process the personal data as part of our functions as a Trust and academy, or we are carrying out a task in the public interest, including:

- To confirm your identity.
- To communicate matters relating to the Trust and academy to you.
- To safeguard you, our pupils and other individuals.
- To enable payments to be made by you to the Trust or academy.
- To ensure the safety of individuals on the Trust/academy site.
- To aid in the prevention and detection of crime on the Trust/academy site.

3. Where we otherwise have your consent.

### **Which data is collected?**

The categories of pupil information that the academy collects, holds and shares include the following:

- Personal information – e.g. names, pupil numbers, addresses and parent/carer contact numbers and email, emergency contact details and relationship marital status.
- Characteristics – e.g. ethnicity, language, nationality, country of birth and free school meal eligibility.
- CCTV footage and images obtained when you attend the academy site.
- Attendance information – e.g. number of absences and absence reasons.
- Assessment information – e.g. national curriculum assessment results and public examination results.
- Relevant medical information.
- Information relating to SEND.
- Behavioural information – e.g. number of detentions and fixed term exclusions.
- Post-16 destinations

Whilst the majority of the personal data you provide to the academy is mandatory, some is provided on a voluntary basis (eg permission to use photographs for our newsletters, website, displays, etc and for ParentPay). When collecting data, the academy will inform you whether you are required to provide this data or if your consent is needed.

Where consent is required, the academy will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

### **Where do we get your personal data from?**

We will obtain an amount of your personal data from you, by way of information gathering exercises at appropriate times, such as when your child joins the academy and when you attend the academy site and are captured on our CCTV system. We may also obtain information about you from other sources. This might include information from local authorities or other professional bodies.

### **How long is your data stored for?**

Personal data relating to pupils at Westbourne Academy and their families is stored in line with GDPR guidelines. The school which any pupil attends until statutory leaving age is responsible for retaining the pupil record until the pupil reaches 25 years of age.

In accordance with the GDPR, the academy does not store personal data indefinitely; all other data is only stored for as long as is necessary to complete the task for which it was originally collected. How long we need to hold on to any information will depend on the type of information.

### **Will my information be shared?**

We do not share information about our pupils with anyone without consent unless the law and our policies allows us to do so.

The academy is required to share pupils' data with the DfE on a statutory basis under regulation 5 of the Education (Information About Individual Pupils) (England) Regulations 2013. This data sharing underpins school funding and educational attainment policy and monitoring.

The National Pupil Database (NPD) is managed by the DfE and contains information about pupils in schools in England. Westbourne Academy is 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 DfE may share information about our pupils from the NPD with third parties who promote the education or wellbeing of children in England by:

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- Conducting research or analysis.
- Producing statistics.
- Providing information, advice or guidance

The DfE has robust processes in place to ensure the confidentiality of any data shared from the NPD is maintained. To find out more about the NPD, go to <https://www.gov.uk/government/publications/nationalpupil-database-user-guide-and-supporting-information>.

Westbourne Academy will not share your personal information with any third parties without your consent, unless the law allows us to do so. The academy routinely shares pupils' information with:

- Pupils' destinations upon leaving the school
- Our multi-academy trust; Academy Transformation Trust
- The Local Authority
- The NHS ie.School Nurse services
- The DfE - <https://www.gov.uk/education/data-collection-and-censuses-for-schools>
- Contractors, such as payment processing providers to enable payments to be made by you to the academy.

### **What are your rights?**

Parents and pupils have the following rights in relation to the processing of their personal data. You have the right to:

- Be informed about how Westbourne Academy uses your personal data;
- Request access to the personal data that Westbourne Academy holds;
- Object to processing of personal data 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; and claim compensation for damages caused by a breach of the Data protection regulations.

Where the processing of your data is based on your consent, you may be able to withdraw such consent in limited circumstances.

If you have a concern about the way Westbourne Academy and/or the DfE is collecting or using your personal data, we request that you raise your concern with us in the first instance by contacting [office@westbourne.atrust.org.uk](mailto:office@westbourne.atrust.org.uk)

You can also raise a concern with the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm or via this link <https://ico.org.uk/concerns>

### **Where can you find out more information?**

If you would like to find out more information about how we and/or the DfE collect, use and store your personal data, please contact Claire Pritchard, the appointed data protection officer at Academy Transformation Trust: Claire Pritchard via [office@westbourne.atrust.org.uk](mailto:office@westbourne.atrust.org.uk)

### **When will this notice be updated?**

We reserve the right to vary and amend this privacy notice to comply with the changes to legislation. An up to date copy of this notice will be available on the academy website.