



The Fernwood School

High Achievement with Care & Discipline for All"

Student Data Privacy Notice

This notice will be monitored regularly and evaluated so that it remains responsive to current issues. This will be co-ordinated by the Data Protection Officer.

Approved: January 2020
Next review: January 2021
Status: Statutory



Contents

Purpose of the Policy	3
The Personal Data We Hold	3
Why We Use This Data	3
Use of Your Personal Data for Marketing Purposes	4
Use of Your Personal Data in Automated Decision Making and Profiling.....	4
Our Lawful Basis for Using This Data.....	4
Our Basis for Using Special Category Data	5
Collecting Pupil Information.....	6
Storing Pupil Data	6
Who We Share Pupil Information With	6
National Pupil Database.....	8
Youth Support Services	8
Pupils Aged 13+.....	8
Transferring Data Internationally	9
Automated Decision Making and Profiling.....	9
Complaints.....	10
Contact Us	10



Purpose of the Policy

Under data protection law, individuals have a right to be informed about how our Trust uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about pupils at our school.

Once your child is able to understand their rights over their own data (generally considered to be age 13+, but this has to be considered on a case-by-case basis), you should instead refer to our privacy notice for pupils to see what rights they have over their own personal data.

The Fernwood Academy Trust, is the 'data controller' for the purposes of data protection law.

Our data protection officer is SPS DPO Services (see 'Contact us' below).

The Personal Data We Hold

We hold some personal information about you to make sure we can help you learn and look after you at school.

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

Personal information that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- 🦁 Your contact details
- 🦁 Your test results and personal performance grades
- 🦁 Your attendance records
- 🦁 Details of any behaviour issues or exclusions

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to:

- 🦁 Information about your characteristics, like your ethnic background or any special educational needs
- 🦁 Information about any medical conditions you have
- 🦁 Photographs and CCTV images

Why We Use This Data

We use the data listed above to:

- a) Get in touch with you and your parents when we need to



- b) Provide a good quality of education
- c) Check how you're doing in exams and work out whether you or your teachers need any extra help
- d) Track your progress and how well the school as a whole is performing
- e) Look after your wellbeing

Use of Your Personal Data for Marketing Purposes

If we intend on using your data for marketing purposes we will request consent to do so. Where you have given us consent we may send you marketing information by leaflet or email events, charitable causes or services that may be of interest.

You can withdraw consent or 'opt out' at any time by contacting the school office.

Use of Your Personal Data in Automated Decision Making and Profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

Our Lawful Basis for Using This Data

We will only collect and use your information when the law allows us to. We need to establish a 'lawful basis' to do this.

Our lawful bases for processing your personal information for the reasons listed in the 'Why we use this data' section above are:

For the purposes of a, b, c, d and e, in accordance with the 'public task' basis – we need to process data to meet our responsibilities under law as set out here:

- 🦁 Education Act 1996
- 🦁 Education Act 2011
- 🦁 Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

For the purposes of a, b, d and e in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:

- 🦁 Education Act 1996
- 🦁 Education Act 2011



- ✿ Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013
- ✿ Safeguarding Vulnerable Groups Act 2006
- ✿ Data Protection Act 2018

For the purposes of e, in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation

For the purposes of b, c and d in accordance with the 'legitimate interests' basis – where there's a minimal privacy impact and we have a compelling reason, including:

- ✿ Collecting and sharing personal data and research internally to provide the best quality teaching quality and care

Where you've provided us with consent to use your information, you may take back this consent at any time. We'll make this clear when requesting your consent, and explain how you'd go about withdrawing consent if you want to.

Our Basis for Using Special Category Data

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- ✿ We have obtained your explicit consent to use your information in a certain way
- ✿ We need to use your information under employment, social security or social protection law
- ✿ We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- ✿ The information has already been made obviously public by you
- ✿ We need to use it to make or defend against legal claims
- ✿ We need to use it for reasons of substantial public interest as defined in legislation
- ✿ We need to use it for health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- ✿ We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- ✿ We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- ✿ We have obtained your consent to use it in a specific way
- ✿ We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- ✿ The data concerned has already been made obviously public by you



- ✿ We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- ✿ We need to use it for reasons of substantial public interest as defined in legislation

Collecting Pupil Information

While most of the information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we want to collect information from you, we make it clear if you have to give us this information (and if so, what the possible consequences are of not doing that), or if you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- ✿ Local councils
- ✿ Government departments or agencies
- ✿ Police forces, courts, tribunals

Storing Pupil Data

We keep personal information about you while you're attending our school. We may also keep it beyond your attendance at our school if this is necessary. Our records management policy sets out how long we keep information about pupils. A copy of this policy can be requested from the school office.

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We'll dispose of your personal data securely when we no longer need it.

Who We Share Pupil Information With

We don't share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it's legally required, or necessary (and it complies with data protection law), we may share personal information about you with:

- ✿ Our local authority (Nottingham City) – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- ✿ Government departments or agencies – to meet our legal obligations to share certain information



- ✿ Our youth support services provider – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- ✿ Our regulator, Ofsted– to meet our legal obligations to share certain information
- ✿ Police forces, courts, tribunals – to meet our legal obligations to share certain information
- ✿ schools that the pupils attend after leaving us - to share a student Education Record as part of our legal obligations to share certain information
- ✿ the Department for Education (DfE) – to provide data for statutory data collections such as the school census and school performance analysis
- ✿ The NHS (Community Public Health Nursing Team – to facilitate health care, including events for the Childhood Immunisation Programme
- ✿ Examination Boards: OCR, Edexcel, AQA – to provide data for studies to apply to and complete educational courses.

The Fernwood Academy Trust uses a variety of third party suppliers/software to support your education which may require data to be shared, processed or stored. We use:

- ✿ Capita
 - ✿ InTouch
 - ✿ Teacher App
 - ✿ Parent App
 - ✿ Student App
- ✿ PageOne
- ✿ ParentPay
- ✿ Microsoft Office 365
- ✿ Google G-Suite
- ✿ ePraise
- ✿ Derventio Education School IP
- ✿ Soflink Oliver V5 Hosted
- ✿ School Cloud Systems Room Booking System
- ✿ Aerohive
- ✿ CPOMS Systems Limited
- ✿ Wonde
- ✿ Groupcall Xporter
- ✿ School Photographer – Wrates
- ✿ SAAF Education Ltd
- ✿ Evolve
- ✿ Fisher Family Trust Aspire
- ✿ PIXL Schools
- ✿ 4Matrix
- ✿ Asset for Schools
- ✿ Pearson ActiveLearn
- ✿ Oxford University Press
 - ✿ MyMaths
 - ✿ Kerboodle



- ✿ Memrise
- ✿ Quizlet
- ✿ Plickers
- ✿ Eedi/Diagnostic Questions
- ✿ Seneca Learning Ltd.
- ✿ Renato Software Ltd. – Senso.cloud

National Pupil Database

We have to provide information about you to the Department for Education (a government department) as part of data collections such as the school census.

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.

The Department for Education may share information from the database with other organisations, such as organisations that promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use your data.

You can find more information about this on the Department for Education's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) if you have any questions about the database.

Youth Support Services

Pupils Aged 13+

Once you have reached the age of 13, we also pass 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
- ✿ A parent or 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 child / pupil once he/she reaches the age 16.



The Nottinghamshire Youth Support Services provide a range of support for young people if they are experiencing any serious problems in school or at home.

Please contact the school office if you wish to opt out of the school sharing your data with the Youth Support Service.

Transferring Data Internationally

Where we transfer your personal data to a country or territory outside the European Economic Area, we will follow data protection law.

In cases where we have safeguarding arrangements in place, you can get a copy of these arrangements by contacting us.

Automated Decision Making and Profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

How to Access Personal Information That We Hold About You

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (unless there's a really good reason why we shouldn't):

- 🌿 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
- 🌿 Tell you who it has been, or will be, shared with
- 🌿 Let you know whether any automated decision-making is being applied to the data (decisions made by a computer or machine, rather than by a person), and any consequences of this
- 🌿 Give you a copy of the information in an understandable form

You may also have the right for your personal information to be shared with another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).



Your Other Rights Regarding Your Data

Under data protection law, you have certain rights regarding how your personal information is used and kept safe. For example, you have the right to:

- ✿ Say that you don't want your personal information to be used
- ✿ Stop it being used to send you marketing materials
- ✿ Say that you don't want it to be used for automated decisions (decisions made by a computer or machine, rather than by a person)
- ✿ In some cases, have it corrected if it's inaccurate
- ✿ In some cases, have it deleted or destroyed, or restrict its use
- ✿ In some cases, be notified of a data breach
- ✿ Make a complaint to the Information Commissioner's Office
- ✿ Claim compensation if the data protection rules are broken and this harms you in some way

To exercise any of these rights, please contact us (see 'Contact us' below).

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concerns about our data processing, please let us know first.

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

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

Call 0303 123 1113

Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact Us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Officer**:

SPS DPO Services
iSystems Integration,
Devonshire House,
29-31 Elmfield Road,
Bromley,
Kent BR1 1LT
Email - sps-dpo-services@isystemsintegration.com



However, our **Data Protection Lead** has day-to-day responsibility for data protection issues in our school.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them via the School Office.