

Data Protection Policy and Privacy Notice

Ownership	Areté Learning Trust
Version	2
Last Updated	January 2020
Next review	January 2022

Who processes the information?

Areté Learning Trust is the data controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data relating to students and their families is to be processed. *Mrs H. Wiseman acts as a representative for the Trust with regard to its data controller responsibilities; you can contact her by email at h.wiseman@aretelearningtrust.org*

In some cases, data may be outsourced to a third party processor; however, this will only be done with parents' consent, unless the law requires the school to share the data. Where the school outsources data to a third-party processor, the same data protection standards that Arété Learning Trust upholds are imposed on the processor.

Why do we collect and use your information?

Areté Learning Trust holds the legal right to collect and use personal data relating to students and their families, and we may also receive information regarding them from their previous school, LA (Local Authority) and/ or the DfE (Department for Education)/ ESFA (Education and Skills Funding Agency). We collect and use personal data in order to meet legal requirements and legitimate interests set out in the General Data Protection Regulations (GDPR) and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013
- Data Protection Act 2018

In accordance with the above, the personal data of students and their families is collected and used for the following reasons:

- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral care
- to assess the quality of our service
- to keep students safe
- to meet the statutory duties placed upon us for DfE data collections

Which data is collected?

The categories of student information that the school collects, holds and shares include the following:

- personal information – e.g. names, student numbers, addresses, contact detail
- characteristics – e.g. ethnicity, language, nationality, country of birth
- attendance information – e.g. number of absences and absence reasons
- assessment information – e.g. national curriculum assessment results, post 16 courses and results
- medical information – e.g. doctors information, child health, dental health, allergies, medication, dietary requirements
- information relating to SEND
- safeguarding information – e.g. court orders and professional involvement
- behavioural information – e.g. number of temporary exclusions
- free school meal/student premium entitlement
- photographs – these will be used to aid our records management and attendance procedures

Whilst the majority of the personal data you provide to the school is mandatory, some is provided on a voluntary basis. When collecting data, the school will inform you whether you are required to provide this data or if your consent is needed. Where consent is required, the school 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.

For how long is the data stored?

Personal data relating to students at Areté Learning Trust, Northallerton, Stokesley and Richmond Schools and their families is stored in line with the trust's retention policy.

In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected unless we have a legal obligation to retain the data.

Will information be shared?

The schools are required to share students' data with the DfE on a statutory basis.

The National Pupil Database (NPD) is managed by the DfE and contains information about students in schools in England. Areté Learning Trust, Northallerton, Stokesley and Richmond Schools are required by law to provide information about their students 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 students from the NPD with third parties who promote the education or wellbeing of children in England by:

- 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/national-student-database-user-guide-and-supporting-information>

Areté Learning Trust, Northallerton, Stokesley and Richmond Schools will not share your personal information with any third parties without your consent, unless the law allows us to do so. The school routinely shares students' information with:

- students' further/higher education providers upon leaving the school
- the local authority
- exam boards
- youth services (students aged 13+)
- the DfE
- the NHS
- Bromcom/Sims our schools electronic management information system
- CPOMS, our child protection online management information system
- learning platform providers *e.g. Realsmart, Kerboodle, Tassomai, MyMaths, Micro Librarian Systems*
- other schools within the Areté Learning Trust

- 3rd party data analysis providers *e.g SIMS ALPS, FFT Aspire*

Once our students reach the age of 13, we are required by law to pass on certain information to our LA, who are responsible for the education or training of 13-to-19-year-olds. We may also share specific personal data of students who are aged 16 and over with post-16 education and training providers, in order to secure appropriate services for them. The information provided includes addresses and dates of birth of all students and their parents, and any information necessary to support the services, e.g. school name, ethnicity or gender.

Parents are able to request that only their child's name, address and date of birth are passed to the LA, by informing the school in writing or by email. Once students reach 16 years of age, this right is transferred to them, rather than their parents.

We are also required to pass certain personal information to careers services once students reach the age of 16. The information accessible by careers services includes:

- name
- date of birth
- student number
- destination, including courses applied for and level

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>

What are your rights?

Parents and students have the following rights in relation to the processing of their personal data.

You have the right to:

- be informed about how Areté Learning Trust, Northallerton, Stokesley & Richmond Schools use your personal data.
- request access to the personal data that Areté Learning Trust, Northallerton, Stokesley & Richmond Schools hold.
- request that your personal data is amended if it is inaccurate or incomplete.
- request that your personal data is erased where there is no compelling reason for its continued processing.
- request that the processing of your data is restricted.

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

Data Protection Breaches

Areté Learning Trust, Stokesley, Richmond and Northallerton schools are responsible for ensuring appropriate and proportionate security for the personal data that it holds. This includes protecting the data against unauthorised or unlawful processing and against accidental loss, destruction or damage of the data. The Trust and schools make every effort to avoid data protection incidents, however, it is possible that

mistakes will occur on occasions. Examples, of personal data incidents might occur through, but not limited to:

- Loss or theft of data or equipment on which data is stored
- Equipment failure
- Unauthorised disclosure (e.g. email sent to incorrect recipient)
- Human error
- Unforeseen circumstances such as a fire or flood
- Hacking attack

Any data protection incident must be brought to the attention of the School's Data Controller who will investigate and decide if the incident constitutes a data protection breach. If a reportable data protection breach occurs, the School is required to notify the Information Commissioner's Office (ICO) as soon as possible, and not later the 72 hours after becoming aware of the breach.

When reporting a breach, the school will be required to provide information about the nature of the breach i.e. what happened, and whether any personal data was involved. Once the Data Controller has determined whether the incident constitutes an actual data protection breach, actions will be taken accordingly to help contain the incident and, where necessary, assist with notifying the affected subjects.

The Data Controller will also, where required, notify the Trust CEO, the Headteacher, and Chair of the LGB and, where necessary, the Information Commissioner's Office. A record will be kept of all data protection incidents and breaches including the actions taken to mitigate the breach.

----- **End of Policy** -----