



**Fulston Manor Academies Trust**  
**Privacy Notice**

**Fulston Manor School**  
**South Avenue Primary School**

**Version (Date):** **July 2022**

**Review (Date):** **July 2023**

**Member of Staff Responsible:** **Mrs M Smith**

## Fulston Manor Academy Trust - Privacy Notice

Here at Fulston Manor Academies Trust we take your privacy seriously, we are registered as a data controller with the information Commissioner and will only process your personal information for the following purposes:

To comply with our statutory obligations to provide education and care to our pupils.

To support extra curricula activities.

To maintain a relationship with pupils and their families.

To maintain a safe learning environment and prevent crime.

**This notice explains what personal data (information) we hold about you, how we collect, how we use and may share information about you. We are required to give you this information under data protection law.**

**The categories of information that we collect, hold and share include:**

- Personal information (such as name, unique pupil number and address, date of birth, sibling information, parental custody orders)
- Photographs and images (such as class photographs or CCTV)
- Special categories of data including characteristics information (such as age, ethnic group, language, nationality, country of birth and free school meal eligibility. Biometrics)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment Information (such as National Curriculum assessments information, assessment results)
- Relevant Medical Information (such as disabilities, allergies or illness, emergency contacts Care Plans, details of medication types)
- Special Education Needs Information
- Behavioural Information (such as number of ePraise Points, classroom exits, internal inclusions)
- Post 16 Learning Information (such as post school destinations, employer details)

**Why we collect and use this information**

We use your data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to provide appropriate pastoral care and support services
- Support children at risk of permanent exclusion
- Safeguard children and young people
- Support primary, Secondary and In-year admissions processes
- to assess the quality of and to support or improve education provision
- to maintain our own accounts and records
- to support students career advice
- for the safety and the security of the school and its grounds

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

We collect and process this information under the following lawful basis:

**Legal Obligation:** the processing is necessary for us to comply with the law.

- School Census – Statutory requirement under Section 537A of the Education Act 1996.
- Safeguarding – Statutory requirement under Section 175 of the Education Act 2002 and Section 83 of the Children Act 1989.

**Consent:** the data subject has given explicit consent for the processing of their personal data for one or more specific purposes

- Photography and images of children – professional photographs taken of pupils.
- Photographs of activities involving pupils for displays, in our school's prospectus, other printed publications such as newsletters, as well as on our website. We may also make video or web cam recordings for conferencing, monitoring or other educational use.
- Photographs taken for ID purposes are processed in line with our legal duties to safeguard students.
- Biometric Identification – (if used for library accounts or catering)
- Off-site education and school representation – personal data, including medical information is processed throughout the school year.

**Public Interest:** the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

- Publication of examination results media, school marketing.
- The security of our buildings and its occupants

## **Collecting personal information**

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 data protection legislation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Where consent is required, the Academy Trust will provide you with specific and explicit information for the reasons why the data is being collected and how it will be used. We maintain records of how consent was sought and respect your right to withdraw consent at any time.

## **Storing pupil data**

The Academy Trust processes personal data electronically on our internal computer systems. We also hold hard copies (paper) of information which are stored securely until the pupil reaches the age of 25, in accordance with the Limitation Act 1980, or in some circumstances the age of 30; after which the information is securely destroyed. After this time the only information we hold is the pupils name, date of birth, email address, dates of attendance, examination results, destination, admission numbers and unique pupil number. This information is retained for historic purposes to enable ex pupils and potential employers to verify this information.

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

We routinely share pupil information with:

- schools or colleges that the pupil's attend after leaving us
- our local authority – Kent County Council – and their commissioned providers of Local Authority Services
- the Department for Education (DfE)
- Third-party providers of information services (such as IT software providers and student apps) where consent has been given
- Third –party service providers, such as catering companies, school photographers, and education resource providers
- Current, past or prospective employers
- The NHS and healthcare providers
- Family, associates and other professional advisers
- Third party professional services i.e. Social Services
- Security organisations
- Press and media (only when consent has been provided)
- School trip organisers (if not members of the staff or school volunteers)
- Peripatetic agencies (i.e. music tuition)

We may also share limited pupil data with local schools to enable the moderation of pupil assessment outcomes and to support collaborative working through joint analysis.

## **Transfers**

It may be necessary to transfer information overseas. When this is needed, information may be transferred to countries and territories around the world. Any transfers will only take place after full compliance with the GDPR has been ensured.

## **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.

We are required to submit end of key stage assessment data to KCC, as the statutory collection agency for the DfE.

In order to meet statutory requirements around appropriate education provision, and to fulfil safeguarding requirements, we share information about school history, and the latest known pupil and parent address and contact details in the event of a Child Missing Education, or becoming Electively Home Educated. This information also supports the in-year admissions process.

## **Our pupils in Year 11**

We also provide additional pupil information to KCC to fulfil their responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996:

- Intended destinations of pupils in Year 11 moving into Year 12
- Course offers for pupils in Year 11 moving into Year 12 (September Guarantee)
- Information for Kent Choices4U (careers advice and course application website)

A parent or guardian 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.

## **Our pupils aged 16+**

We will share information about pupils aged 16+ with our local authority as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

KCC has a legal responsibility to track all young people up to the age of 19 (and young adults with learning difficulties or disabilities up to the age of 25). The purpose of collecting this information is to assist the planning of education and training for young people and the support services they require. KCC will inform us of your current activity once you have left the school. This is in relation to education, training, employment with training you may be undertaking and whether you are NEET (not in Education, Employment or Training). Some of this information is then shared with the DfE who use the information to plan at a national level.

This information enables KCC to provide and arrange:

- post-16 education and training provision
- youth support services
- careers advice and guidance

## **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>.

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

The NPD is owned and managed by the Department for Education 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 and early years' 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 or 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. Decisions on whether DfE releases 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 arrangements 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>

### **Requesting access to your personal data**

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact The Headteacher at Fulston Manor School or the Headteacher at South Avenue Primary School.

The Trust's Data Protection Officer is Mr Peter West who can be contacted at Ferguson West Limited on [fergusonwestltd@sky.com](mailto:fergusonwestltd@sky.com)

You also have the right to:

- object to processing of personal data that is 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

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent us delivering a service to you.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information have been trained appropriately and will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Who to Contact and Where to go for Further Information

Please contact the Headteacher at Fulston Manor School, the Headteacher at South Avenue Primary School or the Trust's Data Protection Officer, Mr Peter West, to exercise any of your rights, or if you have a complaint about why your information has been collected, how it has been used or how long we have kept it for.

If you wish you can also complain to Information Commissioners Office who regulate information security on behalf of the government.

- 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

If you would like to get a copy of the information about you that KCC shares with the DfE or post-16 providers or how they use your information, please contact the Information Resilience and Transparency Team at [data.protection@kent.gov.uk](mailto:data.protection@kent.gov.uk).

For more information about services for children and young people, please go to: <http://www.kent.gov.uk/education-and-children> or the KCC website at [www.kent.gov.uk](http://www.kent.gov.uk)

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone 03031 231113.

For further information visit <https://www.kent.gov.uk/about-the-council/about-the-website/privacy-statement>

For further information about how the Department for Education uses your information:

To find out more about the pupil information we share with the DfE, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

For more information about the DfE'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>

## **Contact**

If you would like to discuss anything in this privacy notice, please contact:

**Mrs Michelle Smith, PA to Executive Headteacher at Fulston Manor School, Brenchley Road, Sittingbourne, Kent ME10 4EG**