



**SOUTH WEST ESSEX**  
COMMUNITY EDUCATION TRUST

Policy Name	<b>Pupil Privacy Notice</b>
Approved by	Trust Board
Date Approved	21/03/2023
To be Reviewed by	21/03/2024

## **Introduction**

SWECET is the data controller for the use of personal data in this privacy notice.

As a Trust we collect a significant amount of information about our Pupils. This notice explains why we collect the information, how we use it, the type of information we collect and our lawful reasons to do so.

## **What type of data is collected?**

The DfE and government requires us to collect a lot of data by law, so that they can monitor and support schools more widely, as well as checking on individual schools' effectiveness.

**The categories of pupil information that the school's collect, hold and shares include the following:**

- Personal information – e.g. names, pupil numbers, contact details and addresses
- Characteristics – e.g. ethnicity, language, nationality, country of birth and free school meal eligibility
- Safeguarding information (such as court orders and professional involvement)
- Special educational needs (including the needs and ranking)
- Medical and administration (such as doctors' information, child health, dental health, allergies, medication and dietary requirements)
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment and attainment information (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- CCTV, photos and video recordings of you are also personal information

## **Why do we collect data?**

**We collect and use the pupil data to:**

- Support pupil learning
- Monitor and report on pupil attainment progress
- Provide appropriate pastoral care
- Assess the quality of our services
- Keep children safe (e.g. food allergies, emergency contact details)
- Fulfil our statutory obligations to safeguard and protect children and vulnerable people  
Enable targeted, personalised learning for pupils

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

We must make sure that information we collect and use about pupils is in line with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual, we must have a legal basis to do so.

The lawful basis for schools to collect information comes from a variety of sources, such as the Education Act 1996, Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013, Article 6 and Article 9 of the UK GDPR.

The Department for Education and Local Authorities require us to collect certain information and report back to them. This is called a 'public task' and is recognised in law as it is necessary to provide the information.

We also have obligations to collect data about children who are at risk of suffering harm, and to share that with other agencies who have a responsibility to safeguard children, such as the police and social care.

We also share information about pupils who may need or have an Education Health and Care Plan (or Statement of Special Educational Needs). Medical teams have access to some information about pupils, either by agreement or because the law says we must share that information, for example school nurses may visit the school.

Counselling services, careers services, occupational therapists are the type of people we will share information, so long as we have consent or are required by law to do so.

We must keep up to date information about parents and carers for emergency contacts.

### **Collecting information**

We collect pupil information via pupil data collection sheets at the start of the year, Common Transfer File (CTF) or secure file transfer from the previous school.

Pupil data is essential for the schools' operational use. 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 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.

### **How we use the data**

In school we also use various third-party tools to make sure that pupils' best interests are advanced. We also record details about progress, attainment and pupil development to support future planning and learning.

We use software to track progress and attainment.

We use data to manage and monitor pastoral needs and attendance/absences so that suitable strategies can be planned if required.

We use systems to take electronic payments for school meals. This includes financial software to manage school budgets, which may include some pupil data.

Data can be used to monitor school effectiveness, the impact of intervention and learning styles across groups of pupils as well as individual children.

We may use consultants, experts and other advisors to assist the school in fulfilling its obligations and to help run the School properly. We might need to share pupil information with them if this is relevant to their work.

We also use contact information to keep pupils, parents, carers up to date about school events.

## **Storing Data**

We hold data securely for the set amount of time shown in our Records Management & Retention Policy. To view this policy please visit [www.swecet.org/about/policies/](http://www.swecet.org/about/policies/).

## **Who we share this information with**

**We routinely share pupil information with:**

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)
- youth support services (pupils aged 13+)  
Schools within the South West Essex Education Community Trust

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

## **Youth support services**

### **Pupils aged 13+**

Once our pupils reach the age of 13, we also pass pupil 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

The information shared is limited to the child's name, address and date of birth. However where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child / pupil once they reach the age 16.

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

Under data protection legislation, you have the right to request access to information about you that we hold, you will need to complete a subject access request form. To make a request for your personal information, contact [sarequests@swecet.org](mailto:sarequests@swecet.org)

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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

## **Withdrawal of consent and the right to lodge a complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by emailing [dataprotection@swecet.org](mailto:dataprotection@swecet.org)

## **Further information**

If you would like to discuss anything in this privacy notice, please contact [dataprotection@swecet.org](mailto:dataprotection@swecet.org)

## **More information about Data Protection and our Policies**

How we manage the data and our responsibilities to look after and share data is explained in our Data Protection policy and connected policies which are also available on our website [swecet.org/about/policies](http://swecet.org/about/policies)