



Privacy Notice for our Pupils (how we use pupil information)

About us

You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

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

We, at SMART, are a data controller for the purposes of the General Data Protection Regulation (GDPR). This means that we are responsible for deciding how we hold and use personal information about you.

We are required, under data protection legislation, to tell you what information we hold about you, why we hold it, how we use it and to tell you about your rights.

This notice applies to current and former pupils of the Trust.

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 – such as 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 – name/address/contact details/unique pupil number
- Your test results
- Your attendance records
- Details of any behaviour issues or exclusions
- Information about how you use school computers and other IT and communications systems

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/Free school meals eligibility/gender/language
- Information about any medical conditions you have
- Safeguarding information
- Photographs and CCTV images

Why we use this data

We use the data listed above to:

- Support pupil learning including using third party providers e.g. Mymaths/Tassomai/Classcharts
- Get in touch with you and your parents or carers when we need to
- Check how you're doing in exams and monitor your progress

- Track how well the school as a whole is performing
- Look after your wellbeing
- Make sure our computers and other school systems and equipment are used appropriately, legally and safely
- To meet statutory duties placed upon us for DFE data collections

Use of your personal data in automated decision making and profiling

We don't currently put pupils' personal data through any automated decision making or profiling process. This means we don't make decisions about you using only computers, without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

Use of your personal data for filtering and monitoring purposes

While you're in school, we may monitor what material you access on our computers and other IT and communication systems. We do this so that we can:

- Comply with health and safety law and other laws
- Comply with our policies (e.g. Safeguarding policy, IT Acceptable Use policy)
- Keep our network(s) and devices safe from people who aren't allowed to access them, and prevent harmful software from damaging our network(s)
- Protect your welfare

The lawful basis on which we use this information

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 are:

For the purposes of supporting your learning, monitoring your progress, and meeting the statutory duties placed upon us by the DFE, in accordance with the 'public task' basis – we need to process data to fulfil our official duties as a school as set out here:

- Education Act 1996
- Education Act 2002
- Education (Information about Individual Pupils) (England) Regulations 2013
- GDPR UK

For the purposes of looking after your welfare, health and safety (safeguarding), in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:

- KCSIE 2024
- Health & Safety at Work 1974
- GPDR UK

For the purposes of providing catering services and the recording of biometric data to fulfil the needs of that service, in accordance with the 'consent' basis – we will get consent to use your personal data. Similarly, in accordance with the "contract" basis – we need to process personal data to fulfil a contract in managing catering services and meeting the data processing needs of other third party service providers. We will process data to meet our responsibilities under law as set out here:

- GDPR UK

For the purposes of health and safety and safeguarding, in accordance with the 'vital interests' basis – we will process this personal data in a life-or-death situation

Where we're allowed to use your information ('given consent'), you may take this back at any time.

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 1 of the following conditions for processing as set out in UK data protection law:

- We have got 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 UK data protection law. Conditions include:

- We have got 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 the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis.

We will inform you whether you are required to provide certain pupil information to us and will make it clear if you have a choice in this, so that you can decide whether to consent. If you do consent, your consent can be withdrawn at any time by contacting us, although our use of the information before you withdraw your consent remains valid.

Retaining pupil data

We keep personal information about you while you're attending our school. We may also keep it after you stop attending our school, if this is necessary. For details on our retention policy please contact the school.

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, changed, or disclosed (given or told to someone else).

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

Who we share pupil information with

Where it is legally required or necessary we routinely share pupil information with:

- schools that the pupil's attend after leaving the Trust;
- youth support services (pupils aged 13+)
- Cornwall Council and the sponsoring Local Authority of any students placed with us;
- the Department for Education (DfE);
- NHS, including the School Nurse Team.

We share specific, relevant elements of pupil information with:

- selected educational support providers that improve the quality of education or the efficiency of our provision;
- our legal advisors;
- our insurers.
- the police

In addition, we also share data securely with third party software systems or service providers:

- information management systems;
- online payments providers;
- cashless catering systems;
- safeguarding management and reporting systems.
- Online resource services such Classcharts/Schoolscomms/Satchel 1/Tassomai/MyMaths/Sparx/Seneca/SISRA/Insight Tracking (others as required)

Why we share pupil information

We may share pupil personal information with third parties (other organisations) where required by law, where it is necessary for the provision of education, where it is in the data subject's interests for us to do so or where we have another legitimate interest in doing so.

We share pupil information 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.

The law requires us to share pupil information with specific authorities, including Children's Social Care and other local agencies, if it is for the purposes of safeguarding.

Information that could be relevant to keeping a child safe will be shared so that informed decisions can be made about a child's welfare in order to keep children safe and to ensure they get the support they need.

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 personal data](#).

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

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. Please refer to our Trust Data Protection Policy and Freedom of Information Policy for more information on how to make a Subject Access Request. To make a complaint or contact our Data Protection Officer for more information please contact:

Data Protection Officer – Mr Ian Foy – ifoy@smart-trust.net

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