Privacy Notice – General - including pupils

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Who we are

For the purpose of the Data Protection Requirements * the Data Controller is Focus Academy Trust (UK) Ltd, Ram Mill Business Centre, Office 7, First Floor, Gordon Street, Chadderton, Oldham, OL9 9RH.

Registered as a Data Controller with the ICO: Ref Z3474517.

Contacting Us

If you want to request further information about this privacy policy or exercise any of your rights, please contact our Data Protection Officer on 07867 423 870 leaving a message with you name and contact details or by email to info@focus-trust.co.uk and the DPO will respond to you.

Our commitment to you

We are committed to protecting and respecting your privacy. We recognise the trust placed in us by individuals whose information we use.

This policy (together with any other documents referred to in it) sets out the basis on how any personal data we collect from you, or that you provide to us, or that we obtain about you or your child will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it. We are committed to ensuring that we do so in a manner that is both lawful and respects your privacy.

This privacy notice explains the following:

- What information Focus-Trust may collect about you
- How we will use any information we have collected from you
- When Focus-Trust may use your information to contact you
- Whether Focus-Trust will disclose your information to anyone else
- Your choices regarding the personal information you have provided to us

We are committed to safeguarding your personal information. Whenever you provide information such as this, we are legally obliged to use your information in line with all laws concerning the protection and security of personal information, including the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

This notice applies to the general public including our parents and guardians and their children attending our school

Your Data Protection Rights

We take the protection of your personal data very seriously and respect your privacy in accordance with data protection legislation and best practice. You have rights relating to your personal information. You can find more information about your privacy rights on the Information Commissioner's Office website www.ico.org.uk.

You have the right to be informed about how and why we process your personal information and any time you give us personal information you have the right to be informed about why we need it and how we'll use it.

You can find most of the information you need in this Privacy Notice.

You have a right of access to your own information

You have a right of access to any of your personal data that we hold about you. You can contact us at any time to gain information about what data we hold about you and why we hold it. Please contact the Data Protection Officer at Focus-Trust through the above channels for further information about how we comply with this right.

If you make a formal request, we will respond to acknowledge your request and will first require you to prove your identity. We may also ask you for information about any specific information you are seeking to help us make sure we meet your request fully and speed up the process.

If you agree, we will try to deal with your request informally, for example by providing you with the specific information you need over the telephone.

We will provide you the information that you are entitled to as soon as possible and without unreasonable delay and at the latest within one month of your identity being verified by us.

In exceptional cases we may extend the period of compliance by a further two months if the request(s) are complex or numerous. If this is the case, we will inform you within one month of the receipt of the request and explain why the extension is necessary.

There is no charge made for this right of this access by Focus-Trust.

To make a request for any personal information we may hold we would ask that you contact our Data Protection Officer through the above channels.

You have the right to ask us to correct inaccurate personal information

If you believe information we hold about you to be inaccurate or incomplete, you can ask us to correct it or complete it at any time e.g. the spelling of your name or your contact information.

You also have the right to ask for our processing of your personal data to be restricted. For example, if you are contesting the accuracy of data we are using about you. In such case we will restrict our processing while we verify the accuracy of the data that we hold.

You can ask for certain information about you to be deleted

You can also ask for certain information about you to be deleted. For example, if you are moving out of the area.

In certain cases, we will be unable to delete your information if there are statutory grounds to retain it (i.e. HMRC, Safeguarding purposes or other legal requirements).

You have the right to data portability

You have the right to data portability where processing is automated, although we don't currently carry out any such processing. If we do in future, you can make a request and this data can be exported from our systems for you.

Information we collect from you and what we do with it

Focus-Trust is a charitable multi- academy trust dedicated to working with our 15 primary schools. It is the core purpose of Focus-Trust to continually strive to be a learning organisation, where the learning of all children and adults is valued and promoted.

It is important to us that we inform you about the information we collect and why we collect it. The information we collect and the reason for collecting it are different for different groups of individuals.

Collecting pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is compulsory, we do request some on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

Most of the personal information we process is provided to us or one of our Schools directly by you for one of the following reasons:

- You have enrolled a pupil at one of our Schools.
- You wish to attend, or have attended, an event organised by us.
- You have made an enquiry to us.
- You have made a complaint to us.
- You have made an information request to us.
- You subscribe to our family newsletter.
- You have applied for a job or secondment with us.

We also receive personal information indirectly, for example:

- We have contacted another organisation about a pupil, and it gives us your personal information in its response.
- Your personal information is contained in reports from other agencies such as Local Authority or the NHS.
- A complainant refers to you in their complaint correspondence.
- Other parents include information about you in their reporting to us.
- From other public authorities, regulators or law enforcement bodies.

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please contact our Data Protection Officer on 07867 423 870 leaving your name and contact number or by email to info@focus-trust.co.uk and the DPO will respond to you.

Lawful basis

Our primary lawful basis is one of a Public Task expected on us as a multi academy trust. Our Principal/Headteacher objective and activity is the operation of primary schools to provide education for pupils of different abilities. Our primary schools provide education for pupils who are wholly or mainly drawn from the local community in which the school is situated.

Our processing of your child's and your data is necessary for carrying out these specific tasks in the public interest which is laid down by law; or by us exercising our official tasks, functions, duties or powers which is laid down by legislation that we are required to comply with, for example our duty in section 4 of the 2006 Charity Act to have due regard to guidance published by the commission regarding public benefit.

Focus-Trust has a legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, Local Authority or the Dept for Education (DfE).

We collect and use personal data in order to meet our legal requirements set out in UK law, including those in relation to the following:

- Education Act 1996
- Regulation 5 of The Education (Information About Individual Pupils)(England) Regulations 2013
- The Children's Act 1989
- The Charities Act 2011
- Data Protection Act 2018
- Finance Act 2010
- Financial reporting framework under the Academies Accounts Direction 2018 to 2019 issued by the Education and Skills Funding Agency and United Kingdom Accounting Standards.

In exceptional situations we may need to protect your child's, our staff or our own vital interests (or someone else's interests), for example to protect their life or the life of someone else.
Occasionally we may wish to use your child's data for other means not falling under our lawful requirements and in those cases we would ask for your consent. Where we are processing your personal data with your consent, you have the right to withdraw that consent.

From time to time we will also rely on our legitimate interests to collect and use your personal data. For example, our schools participate in fundraising activities for specific charities where the income received is paid in full to the charity. We rely on our legitimate interests for such marketing activities because we can show the way that we use people's data is proportionate, has a minimal privacy impact, and pupils and parents and guardians expect us to fundraise in this way and are able to object to what you are doing. The Trust does not use any external fundraisers.

Artificial Intelligence (AI)

Focus-Trust recognise the rapid development and use of Artificial Intelligence (AI) tools within education. AI should enhance teaching and pupil learning if used transparently and ethically. For further details on how we use AI please see our AI Policy.

Special category sensitive data

Where we are required to collect special category data about your child or you (see below) we will use the lawful basis of Article 9(2)(h) of the UK GDPR which permits us to process special category data if:

> "processing is necessary for the purposes of preventive or occupational medicine, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3".

We may also ask for your specific consent to process such data.

Special Category Data refers to:

a) personal data revealing racial or ethnic origin;
b) personal data revealing political opinions;
c) personal data revealing religious or philosophical beliefs;
d) personal data revealing trade union membership;
e) genetic data;
f) biometric data (where used for identification purposes);
g) data concerning health;
h) data concerning a person's sex life.

Personal information we collect

The categories of pupil information that we process may include:

- Personal information – e.g. names, pupil numbers and addresses
- Contact information including parents or guardians
- Emergency contact details if different from above
- Characteristics – e.g. ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information – e.g. number of absences and absence reasons
- Assessment information (such as sessions attended, pre or after school activities)
- Relevant medical information Medical information and details of any support received, including care packages and support plans
- Information concerning any Special Educational Needs
- Behaviour and achievement information (such as commendations, detentions, exclusions)
- Information about safeguarding concerns
- Photographs and moving images
- CCTV images captured in or around our premises

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.

The personal data collected is essential for the school to fulfil their official functions and meet legal requirements.

We collect and use pupil information, for the following (non-exhaustive) purposes:

a) To support pupil learning
b) To monitor and report on pupil progress
c) To provide appropriate pastoral care
d) To assess the quality of our service
e) To comply with the law regarding data sharing

f) To safeguard pupils
g) To promote the school (e.g. prospectus)
h) To help to assess the security of our pupils and staff and our requirement to comply with our legal and safeguarding responsibilities

Why we may share information about you and your child

We routinely share pupil and parent/guardian information with:

- Educational institutions that pupils attend after leaving us
- The local authority (for admissions, exclusions etc.) and safeguarding boards
- The Department for Education (DfE)
- Focus Education (UK) Ltd as an organisation that is connected to Focus Academy Trust (UK) Ltd, both being separate legal entities. Focus Education (UK) Ltd is the sponsor organisation for Schools within the trust requiring a sponsor. The academy trust's funding agreement with the Secretary of State governs the relationship between the trust and its related parties.
- The NHS (for referrals, vaccinations etc)
- The Police and Social Services (where there are safeguarding concerns)
- OFSTED where relevant and lawful
- Internally for performance review and assessment purposes, including our Trust Board who retain ultimate accountability and responsibility for the operation of the trust, Local Governing Boards/Task Groups: Each of the schools within Focus-Trust has its own local governing board/Task Group which is accountable to the Trust Board. Each local governing board discharges duties on behalf of the Trust Board and works within the remit of an agreed and understood scheme of delegation, and our own staff.

We also share personal data with third party organisations who provide professional services to us.

This data is only shared where it is essential for the service to be provided. We currently provide pupil level data for the following purposes, for example to provide core school business services such as our IT systems and to support learning through curriculum products.

A full current list of third-party organisations that we may share data with is available on request from the above contact details. We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. However, the school is required to share pupils' data with the DfE on a statutory basis.

The National Pupil Database (NPD) is managed by the DfE and contains information about pupils in schools in England. Focus-Trust is required by law to provide information about our pupils to the DfE as part of the 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 pupils 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 and guidance

The DfE has robust processes in place to ensure the confidentiality of any data shared from the NPD is maintained. 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 data, security arrangements and retention and use of the data.

On occasions the school may be required by law to share your child's or your information, for example with the Police concerning safeguarding enquiries. You will not be informed when this has taken place. This may be because we have shared information under vital interest on a lawful basis.

Where we store your information and how we keep it safe

All personal information of the individuals is stored on our systems on secure servers. We operate a suite of IT and security policies to ensure your information is kept secure, including appropriate access and auditing controls.

We use anti-virus software and fire walls to protect against cyber-attack. Unfortunately, the transmission of information via the internet isn't completely secure. Although we'll do our best to protect your personal information, we cannot guarantee the security of information you send to us that is outside of our security arrangements; any transmission is at your own risk.

We also operate strict physical security at all our sites and our employees all receive security and data protection awareness training.

How long we keep information about you

We only keep information for as long as necessary in accordance with legislation or relevant regulations. Once we no longer need to keep your information, we remove it from our systems or securely dispose of it.

Notification of changes

This Privacy Notice may change from time to time, for example, if the law around information changes or for operational purposes. We advise you to visit this page regularly to keep up to date with any changes.

Cookies

Cookies are small pieces of data which your browser stores on your machine as you use our website. Cookies are sometimes used to provide the user with a tailored experience when revisiting a site e.g. remembering preferences, so you don't have to submit the same information twice etc.

What Cookies do we use?

We use cookies to identify you as a unique visitor and to identify which pages are being used. The cookie that is stored does not include any information that is personally identifiable to you. The information is completely anonymous.

Third Party Requests

These cookies are used to collect information about how visitors use our site, which we use to help improve it. The cookies collect information in an anonymous form, including the number of visitors to the site, where visitors have come to the site from and the pages they visited.

Making a complaint

Focus-Trust tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures. We understand in line with the Data Use and Access Act we must take steps to help you if you wish to make complaint about how we use your personal information. We will supply an electronic form, acknowledge your complaint within 30 days and respond to it without undue delay.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive details of all aspects of Focus-Trust's collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to our Data Protection Officer on 07867 423 870 or by email to info@focus-trust.co.uk and the DPO will respond to you.

If you believe that Focus-Trust has not complied with your data protection rights, you can complain to the Information Commissioner's Office, their address is Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AFor by calling 0303 123 1113 or by visiting the ICO website https://ico.org.uk

** Data Protection Requirements means the Data Protection Act 2018, the UK General Data Protection Regulation, the Regulation of Investigatory Powers Act 2000, the Education Act 1996, Regulation 5 of The Education (Information About Individual Pupils)(England) Regulations 2013the Telecommunications (Lawful Business Practice)(Interception of Communications) Regulations 2000 (SI 2000/2699), the Electronic Communications Data Protection Directive 2002/58/EC, the Privacy and Electronic Communications (EC Directive) Regulations 2003, the Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2011, and all other applicable laws and regulations relating to processing of personal data and privacy in any applicable jurisdiction as amended and replaced, including where applicable the guidance and codes of practice issued by the UK Information Commissioner or such other relevant data protection authority.*