



## **Privacy Notice (How we use children in need and children looked after information)**

### **The categories of personal information that we process include:**

- personal information (such as name, date of birth and address)
- characteristics (such as gender, ethnicity and disability)
- episodes of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection information and Child Protection Plan information)
- episodes of being looked after (such as important dates, information on placements)
- outcomes for looked after children (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending)
- adoptions (such as dates of key court orders and decisions)
- care leavers (such as their activity and what type of accommodation they have)
- medical information (such as allergies, medication required, medical care plans)
- special educational needs information
- behavioural information

This list is not exhaustive, please see our other privacy notices for additional categories of information.

### **Why we collect and use this information**

The trust have the legal right to collect and use personal data relating to children and their families. We may also receive information from their previous school, the local authority and/or the Department of Education. The trust will collect, use and store this information in order to meet its legal requirements and legitimate interest set out in the UK Data Protection Act 2018, but also the

[Education Act 1996, Regulation 5 of the Education \(Information About Individual Pupils\) Regulations 2013](#) and the [Children's Act 1989](#).

We use this personal data to:

- a) support these children and monitor their progress
- b) provide them with pastoral care
- c) assess the quality of our services
- d) evaluate and improve our policies on children's social care

Under the UK General Data Protection Regulation (UK GDPR), the lawful basis we rely on for processing pupil information are:

- for the purposes of completing statutory pupil level data returns to the DfE and for
- the population of a central pupil database held by Kirklees Council in accordance with the legal basis of:

#### Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:  
(c) Processing is necessary for compliance with a legal obligation to which the controller is subject.

In addition, concerning any special category data we collect we use the legal basis of Article 9, Paragraph 2:

1. Paragraph 2:

Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89 (1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 – Section 537A – states that we provide individual pupil information to the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research

## **Collecting this information**

We collect and receive data through the online admissions process, this is sent to our school's via an encrypted portal by the local authority. Once your admission is processed by the school you will receive some further documentation in your new starter pack.

Children in need and children looked after information is essential for the local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

## **Storing personal data**

We hold 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 speak to the school office.

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

The trust is required to share pupil's data with the [Department of Education \(DfE\)](#) on a statutory basis. The [National Pupil Database \(NPD\)](#) is managed by the DfE and contains information about pupils in school in England. The trust is required to share information with the DfE for statutory data collections, e.g. school census, some of this information is then stored by the NPD.

Depending on the circumstances the school will also share information with the Local Authority and their partners to ensure that our children in need/looked after children, parents and carers receive the best level of support.

The DfE may also 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;
- Providing statistics;
- Providing information, advice or guidance.

The trust routinely shares pupil's information with:

- Pupil destinations upon leaving the school;
- The local authority;
- The school nurse and national health service.

The trust also uses various systems, such as assessment and reporting software, communication system and curriculum software that may process pupil and family information. As the Data Controller we will ensure that these processors meet and uphold UK data protection standards.

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

## **The Department for Education (DfE)**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections.

We are required to share information about our children in need and children looked after with the Department for Education (DfE) for the purpose of those data collections, under, Section 83 of 1989 Children's Act, <http://www.legislation.gov.uk/ukpga/2008/23/section/7> and also under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current government security policy framework.

For more information, please see 'How Government uses your data' section.

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

Under data protection legislation, parents, carers and children have the right to request access to information about them that we hold. To make a request for your personal information contact our Data Protection Office at, Learning Accord Multi-Academy Trust Head Office. Skelmanthorpe Academy, Elm Street, Skelmanthorpe, Huddersfield, HD8 9DZ, or your school's office.

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/>

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

### **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 contacting Learning Accord Multi-Academy Trust Head Office. Skelmanthorpe Academy, Elm Street, Skelmanthorpe, Huddersfield, HD8 9DZ, or your school's office.

### **Last updated**

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was drafted on 08/08/24 and last updated on 08/08/24.

**Contact**

If you would like to discuss anything in this privacy notice, please contact: Data Protection Officer Learning Accord Multi-Academy Trust Head Office. Skelmanthorpe Academy, Elm Street, Skelmanthorpe, Huddersfield, HD8 9DZ, or your school's office.

## **How Government uses your data**

The data that we lawfully share with the Department for Education (DfE) through data collections helps to:

- develop national policies
- manage local authority performance
- administer and allocate funding
- identify and encourage good practice

## **Data collection requirements**

To find out more about the data collection requirements placed on us by the Department for Education (DfE) go to:

Children in need: <https://www.gov.uk/guidance/children-in-need-census>

Children looked after: <https://www.gov.uk/guidance/children-looked-after-return>

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

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

The NPD is owned and managed by the Department for Education (DfE) 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 for Education (DfE).

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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-npd-privacy-notice/national-pupil-database-npd-privacy-notice>

## **Sharing by the Department for Education (DfE)**

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department for Education's (DfE) NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfe-external-data-shares>

### **How to find out what personal information the Department for Education (DfE) holds about you**

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>