



## Privacy Notice for Parents and Carers (Use of your child's personal data )



Under the General Data Protection Regulation (GDPR) individuals have a right to be informed about how we use any personal data that we hold about them. As an academy within The Elliot Foundation Academy Trust we comply with this right by providing a Privacy Notice to individuals where we are processing their personal data.

For the purposes of data protection law The Elliot Foundation Academy Trust is the 'data controller'. The Data Protection Officer for the trust, who oversees how we collect, use, share and protect your information, is Jem Shuttleworth ([jem.shuttleworth@elliottfoundation.co.uk](mailto:jem.shuttleworth@elliottfoundation.co.uk)).

For the purposes of data protection law we, John Locke Academy, are the 'data processor'. Our Local Compliance Officer, who works with staff in the school to process and protect your data, is Dawn Reed.

This Privacy Notice explains how we collect, store and use personal data about children. Appendix A also includes specific information relating to the pupils' use of their school provided email address and resulting online activity

### **Categories of pupil information that we process include, but are not restricted to:**

1. Personal identifiers, contacts and characteristics (such as names, unique pupil number, contact details and address)
2. Characteristics (such as ethnicity, language and free school meal / pupil premium eligibility)
3. Safeguarding and child protection information (such as court orders and professional involvement)
4. Special educational needs (such as professional involvement, care packages, plans and support providers)
5. Medical and administration (such as doctors information, child physical and mental health, dental health, allergies, medication and dietary requirements)
6. Attendance (such as sessions attended, number of absences, absence reasons and any previous schools or settings attended)
7. Assessment and attainment (such as results of internal and externally set tests and teacher judgements)
8. Behavioural information (such as reports, exclusions and any support put in place)
9. Personal data, as detailed in Appendix A, captured through the monitoring of a pupil's school provided email address and resulting online activity.

### **GDPR specifically defines 'special category' as data relating, but not restricted, to:**

1. Racial or ethnic origin
2. Political opinions
3. Religious or philosophical beliefs
4. Health

Within our school we also process some sensitive information about our pupils that is not identified as 'special category'. However we consider it appropriate to treat such information with the same care.

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.



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### Online systems that we use to process pupil information:

We use a variety of online systems to support the day-to-day running of the academy, pupil assessment and behaviour strategies. Access for staff to these systems is determined by their role and whether they have a recognised need to access the information.

The systems listed below all hold and process personal pupil information.

1. ScholarPack - used for the day-to-day running of the academy and primarily holds pupil information
2. Google Drive - a cloud based service that allows users to store and share files
3. My Concern - a cloud based service holding safeguarding concerns
4. 2Simple - used to create learning profiles of children in reception and nursery
5. SchoolCloud - used to book and conduct parents evening appointments and video calls.
6. ParentPay - used for online payments for trips and extra curricular activities
7. Discovery Education - an online learning resource
8. Renaissance Education - an online learning resource
9. The Pantry - used for school lunch orders
10. School Secure Shared Drives - used for staff work and reports

### CCTV system that we use:

We operate a CCTV system. This system is in operation 24 hours per day and runs on a 21 day loop. CCTV is in place to support security of the academy site. The system operated by the academy has no recording facility and the images taken are overwritten after 21 days. The system is monitored by Kirk Peet. If you require any further information regarding the CCTV system in operation, please contact the Principal, Darrell Butler.

### Why we collect and use personal data:

We only collect and use pupils' personal data when the law allows us to.

We obtain pupil information via registration forms/medication forms/Common Transfer Files from previous schools/Child Protection Plans. We do this at the start of each academic year and as is required throughout the academic year.

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily. Whenever we seek to collect information from you we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

Most commonly, we collect and process this pupil information where we need to perform an official task in the public interest and/or we need to comply with a legal obligation.

1. To protect and keep safe all pupils
2. To provide appropriate pastoral care
3. To support pupil learning
4. To monitor and report on pupil attainment and progress
5. To met the statutory duties placed upon us
6. To assess the quality of our services



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Less commonly, we may also process pupils' personal data in situations where we have obtained consent to use it in a certain way and/or we need to protect the individual's vital interests (or someone else's interests).

Some of the reasons listed above overlap and there may be several grounds which justify our use of this data.

Where we have obtained consent to use pupils' personal data this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

We share news items on social media to celebrate pupil and academy achievements. Consent for sharing of images/videos and names of pupils on social media is sought from parents in advance. Consent for sharing these images may be withdrawn at any time. Parents are invited to follow the academy twitter and facebook accounts but do this through their own choice. These social media accounts are not for marketing purposes, and are solely to communicate upcoming events, news and celebrations. Parents can withdraw from the academy twitter and facebook feeds at any time by clicking 'unfollow'.

### **How we store this data:**

We keep personal information about pupils securely for the duration of time they are on-roll. The pupil files are then transferred to the pupil's next education setting (either to the next primary school or the pupil's secondary school).

However, specific pupil information is retained if the pupil has been involved with a Child Protection concern, has identified Special Educational Needs or has been involved in a reported accident. In these cases, personal pupil information is held securely for 25 years from the birth date of the pupil.

The Elliot Foundation Academy Trust Records Management and Retention Policy can be found on the trust website and sets out further information about how long we keep information about pupils.

### **Who we share this data with:**

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

Where it is legally required or necessary (and it complies with data protection law) we may share personal information about pupils with:

1. Schools that the pupil's attend after leaving the academy
2. Our Local Authority - Hillingdon
3. Examining Bodies and our regulator, Ofsted
4. The Department for Education (DfE)
5. National Health Service (NHS) and their commissioned health services
6. Child and Adolescent Mental Health Service (CAMHS)
7. Hillingdon SEN/Inclusion Support Services
8. Other London borough SEN services (where the pupil resides in a different Local Authority)
9. Social Services and other social welfare organisations
10. The Elliot Foundation Academies Trust
11. Police forces, courts and tribunals
12. Trip locations (such as swimming pools etc) to support accessibility and health and safety
13. Suppliers and service providers to enable them to provide the service we, or the trust, have



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contracted them for

### **The National Pupil Database**

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the National Pupil Database (NPD) which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information please contact the Department - <https://www.gov.uk/contact-dfe>

### **Requesting access to your child's personal information:**

Individuals have a right to make a 'subject access request' (SAR) to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to your child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12).

If you make a SAR, and if we do hold information about your child, we will:

1. Give you a description of it
2. Tell you why we are holding and processing it, and how long we will keep it for
3. Explain where we got it from, if not from you or your child
4. Tell you who it has been, or will be, shared with
5. Let you know whether any automated decision-making (by a computer or machine, rather than by a person) is being applied to the data, and any consequences of this
6. Give you a copy of the information in an intelligible form

To make a request for your child's personal information, or be given access to your child's educational record, please contact Dawn Reed (Local Compliance Officer).

SARs must be made in writing. If you cannot make a request in writing, please contact the Local Compliance Officer as they will be able to support you with making a request.

We will not charge for carrying out a SAR unless the request is 'excessive' or a copy of information that has already been given. SARs may take up to one month to action.

### **Other rights:**

Under GDPR individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

1. Object to the use of personal data if likely to cause, or is causing, damage or distress



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2. Prevent processing for the purpose of direct marketing
3. Object to decisions being taken by automated means
4. In certain circumstances, have inaccurate personal information rectified, blocked, erased or destroyed
5. Claim compensation for damages caused by a breach of the General Data Protection Regulations

To exercise any of these rights please contact the Data Protection Officer for the trust -  
[jem.shuttleworth@elliottfoundation.co.uk](mailto:jem.shuttleworth@elliottfoundation.co.uk)

### **Complaints:**

As a school, and as part of The Elliot Foundation Academies Trust, we take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with the Local Compliance Officer in the first instance.

To make a formal complaint please contact the Data Protection Officer for the trust.

### **Contact us:**

If you have any questions, concerns or would like more information about anything mentioned in this Privacy Notice, please contact Dawn Reed the Local Compliance Officer on 01895 590110 and [info@johnlockeacademy.co.uk](mailto:info@johnlockeacademy.co.uk)



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### APPENDIX A - eSafe Specific GDPR Privacy Notice

This appendix explains how we collect, store and use personal data about pupils specifically in relation to the use by pupils of their school provided email address and resulting online activity. It must be read in conjunction with the main Pupil Privacy Notice.

#### **The purpose for processing:**

To monitor user's activity in the digital environment, through the email provided by their school, in order to detect and alert markers of risk to safety, welfare and well being.

#### **The lawful basis for processing:**

Schools are legally required to comply with statutory obligations regarding safeguarding and child protection. As such, schools and The Elliot Foundation Academies Trust is able to rely on -

1. Article 6 (1) (c) of the GDPR - processing is necessary for compliance with a legal obligation to which the controller is subject. Specifically statutory duties as outlined in Keeping Children Safe In Education and the Prevent Duty
2. Schedule 1, Part 2, Paragraph 18 of the Data Protection Act 2018 - processing special category data for the purpose of safeguarding children and individuals at risk

Personal data is only processed when necessary to provide the agreed service as laid out in the formal Monitoring Services Agreement between eSafe and The Elliot Foundation Academies Trust. The agreed service is designed to detect the early warning signs of safeguarding risk as defined by the Department for Education through Keeping Children Safe in Education.

#### **The categories of personal data obtained:**

1. User login ID
2. Date and time stamp of when an incident occurs
3. ID of the device that the user was logged into at the point the incident occurred
4. Screenshot of the user's screen at the moment the incident occurred, this may include details of attempts to access potentially illegal content
5. Information about a user's health including mental health such as self harm / suicide risk
6. Information about a user's political opinions where there is a suspicion that those opinions may be extreme or concerning

eSafe will only capture user activity where a marker of suspected inappropriate activity or behaviour, which may impact the welfare and wellbeing of an individual or is illegal, is detected. eSafe does not record all user activity nor capture details of apparently benign activity.

eSafe does not record the name of the user. User login IDs are assigned by the school and it is the responsibility of the school to ensure that all documentation that links user login IDs to individuals is held securely and treated confidentially.

eSafe monitoring of user activity is mandatory for all those with a school provided email address.



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### How eSafe store this personal data:

1. All recorded data is held on dedicated servers located in an ISO 27001 accredited data centre
2. The data centre is based in the UK and only accessible by authorised eSafe employees, based in the UK. Data will never be exported outside the UK
3. No permission is ever granted to anyone outside of the UK to access any of the data hosted on eSafe servers
4. All eSafe Behaviour Analysts operate from a UK based, physically secure, ISO 27001 accredited laboratory

### The retention periods for this personal data:

1. eSafe will retain screenshots and reports for 6 months from the date of an incident
2. The Elliot Foundation Academies Trust will retain screenshots / reports for 6 months from the date of an incident
3. The Elliot Foundation Academies Trust will retain reports from subsequent investigation for no longer than is necessary to support any ongoing process including, but not limited to, criminal proceedings
4. The Elliot Foundation Academies Trust retains data about pupils in line with statutory timeframes and no longer than is necessary

### Who we share this data with:

We do not share information about your child with any third party unless the law and our policies allow us to do so.

Where it is legally required or necessary in response to a cause for concern (and it complies with data protection law) we may share this personal information about your child with:

1. Police forces, courts and tribunals
2. National Health Service
3. Local Authority identified departments

### Requesting access to your child's personal information - eSafe specific:

To make a request for this personal information please contact the Data Protection Officer for the Trust, Jem Shuttleworth. SARs for this data must be made in writing. If you cannot make a request in writing, please contact Jem for support with making a request.

### Additional Information

Please see the main body of the Privacy Notice for further guidance and information relating to

- Requesting access to your child's personal information;
- Other rights;
- Complaints; and
- Contact information