

Privacy Notice – Parent/Pupil Information

Introduction

The UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018 and Data (Use and Access) Act 2025 set out the law relating to data protection. This notice explains how we handle pupil and parent/carers personal data.

Sparken Hill Academy Trust, of Sparken Hill, Worksop, Nottinghamshire, S80 1AW (telephone 01909 534060; email office@sparkenhill.com), is the data controller. This means the Trust decides why and how personal data is used.

This privacy notice relates to pupil and parent/carers information that we collect and use when a child applies to or attends Sparken Hill Academy.

This privacy notice sets out the following information:

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The personal data we collect

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Name, address, date of birth, unique pupil number and other identifiers
- Contact details, contact preferences, identification documents
- Emergency contact details of parents/carers/relatives
- Characteristics, such as ethnicity, language, religious belief, eligibility for free school meals and special educational needs or disabilities
- Details of any medical conditions, including physical and mental health conditions
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Behavioural information, including suspensions, permanent exclusions and any alternative provision
- Attendance information, including sessions attended, absences and reasons, and previous schools
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV

We may also hold information about parents/carers and other family members where needed for contact, safeguarding, admissions, payments, complaints or the provision of education and support.

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Why we use this data

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research to enhance teaching and learning
- Comply with the law regarding data sharing
- Safeguarding

The personal information is initially used to create the pupil record then information will be taken from that record to create attendance records, class lists, reading groups and other educational records. The personal information is used to track attainment and performance and put any support in place for your child throughout their time in our school.

We may use approved communication services to send important information about a child and school events. We will use an appropriate lawful basis and provide any additional information needed; consent will be requested only where consent is the appropriate basis.

We may use approved software and online learning services to support teaching and learning. We carry out appropriate compliance and risk checks, including a Data Protection Impact Assessment where processing is likely to present a high risk, and use consent only where it is the appropriate lawful basis.

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Special category data

The Trust may process special category data. This is personal data requiring additional protection under the UK GDPR and DPA 2018.

This may include racial or ethnic origin, religious or philosophical beliefs and health information.

Before processing special category data, we identify both an Article 6 lawful basis and an Article 9 condition. Where required, we also meet a condition in Schedule 1 of the DPA 2018 and maintain an Appropriate Policy Document.

Depending on the purpose, relevant Article 9 conditions may include substantial public interest, health or social care, vital interests, or explicit consent where consent is genuinely optional and appropriate.

We may ask for ethnicity, religion and health information for education, equality monitoring, safeguarding, welfare and statutory data-collection purposes. We will explain when providing information is optional.

Special category information is used only for specified purposes, with access restricted to people who need it. Explicit consent will be relied upon only where it is freely given, specific, informed and capable of being withdrawn without disadvantage.

We apply additional safeguards to special category information and share it only where lawful, necessary and proportionate.

Our lawful basis for using this data

We collect and use personal data only where an Article 6 lawful basis applies. The basis depends on the purpose and is recorded by the Trust.

- Legal obligation - Article 6(1)(c), including duties arising from education, safeguarding, equality, health and safety, attendance and statutory data-collection law.
- Public task - Article 6(1)(e), where processing is necessary to perform education and related functions in the public interest.

We may also rely on:

- Consent - Article 6(1)(a), only for a specific optional purpose where a genuine choice is available; vital interests - Article 6(1)(d), in an emergency; or legitimate interests - Article 6(1)(f), where available and appropriate after balancing the Trust's interests against individual rights.

Where consent is used, it may be withdrawn at any time without affecting processing already carried out lawfully. We will explain how to withdraw it when consent is requested.

Different purposes may rely on different lawful bases. The Trust must identify the basis for each processing activity rather than treating consent as the default.

The lawful bases and special category conditions are set out in Articles 6 and 9 UK GDPR and, where relevant, Schedule 1 DPA 2018. Key education legislation may include the Education Act 1996, Children Acts 1989 and 2004, Education (Independent School Standards) Regulations 2014 and Education (Information About Individual Pupils) (England) Regulations 2013, as amended.

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Collecting this personal data

We collect pupil information through admissions and registration forms, information supplied during attendance, assessments and support, and secure transfers such as the Common Transfer File from a previous school. We will provide further information at the point of collection where needed.

Pupil data is essential for educational and operational purposes. Some information is required by law or is necessary to provide education and support; other information is voluntary. At the point of collection, we will explain whether information is required, why it is needed and the consequences of not providing it.

Our website privacy and cookie notice explains the cookies and similar technologies used on the Academy's website. It is available at www.sparkenhillacademy.com/privacy-cookies.

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Where we obtain personal data

We obtain most information from pupils and parents/carers. We may also receive information from previous schools, local authorities, the Department for Education, health

or social-care professionals, safeguarding partners and other organisations involved with the child.

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How we store this data

We keep personal data securely for the periods set out in the Trust's Records Management and Retention Policy and retention schedule. Information is retained only for as long as it is needed or required by law and is securely deleted or destroyed when no longer required. Our Records Management Policy is published on the GDPR Policies page of our website at www.sparkenhillacademy.com/gdpr-policies.

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Data sharing – who we share any personal data with and why

We share pupil and parent/carer information only where this is lawful, necessary and proportionate. Consent is not automatically required for a lawful disclosure.

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

- Our local authority - for education, admissions, attendance, safeguarding, special educational needs, funding and other statutory functions.
- The Department for Education - for statutory data collections, including school census information. For academies and free schools, regulation 5 of the Education (Information About Individual Pupils) (England) Regulations 2013 is a key legal requirement.
- The pupil's parents/carers and authorised representatives - where lawful and appropriate, including information about education, attendance, behaviour, welfare and support.
- Other schools, educators, examination, assessment and awarding bodies - to support education, transfers, assessments and qualifications.
- Regulators and inspection bodies, including Ofsted - where information is required for inspection, regulation or assurance.
- Suppliers and service providers - such as management information, communications, educational technology, catering, payment, transport and IT-support providers, acting under appropriate contracts.
- Banks, payment providers, auditors and insurers - where necessary for payments, financial control, claims or assurance.
- Central and local government and public bodies - where required or permitted by law.
- The academy trust, its trustees, governors, authorised staff and professional advisers - where they need the information for governance, education, safeguarding or legal purposes.

- Research and survey organisations - where the sharing is lawful, necessary and appropriately safeguarded; information will be anonymised or pseudonymised where possible.
- Health bodies and professionals - including school nursing, immunisation and public-health services where lawful and necessary.
- Children's social care, safeguarding partners and other agencies involved in protecting or supporting a child.
- Police, courts, tribunals and law-enforcement or security bodies - where disclosure is required or permitted by law.
- Health, social-care and welfare organisations - to meet health, support and safeguarding needs.
- Professional advisers and consultants - including legal advisers and education specialists where necessary.
- Other recipients identified in the Trust's record of processing activities or at the point of collection.
- Universities, academies and research partners - only where the project is lawful and appropriate safeguards are in place.

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Transferring data internationally

The Trust does not transfer personal data outside the UK. If this changes, the Trust will ensure that any transfer is permitted under UK data-protection law, using adequacy regulations, appropriate safeguards or a lawful exception, and will update this notice.

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How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

The National Pupil Database (NPD)

The National Pupil Database (NPD) is owned and managed by the Department for Education and contains information about pupils in schools in England. Information is collected securely from schools, local authorities and awarding bodies.

The data is used for research and statistical purposes to improve and promote the education and wellbeing of children in England and to support policy, accountability and funding.

To find out more about the NPD, visit

<https://www.gov.uk/government/publications/national-pupil-database-npd-privacy-notice/national-pupil-database-npd-privacy-notice>

Sharing by the Department for Education

The Department for Education will share pupil data only where it is lawful, secure and ethical to do so. Where those conditions are met, recipients may include:

- 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 DfE's 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 legal powers to request relevant individual-level information from the Department for Education.

For information about which organisations the 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 DfE holds about you

Under the UK GDPR, you may ask the Department for Education:

- 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 access personal data held by the Department for Education, follow its guidance at:

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

To contact DfE: <https://www.gov.uk/contact-dfe>

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Parents' and pupils' rights regarding personal data

Pupils have data-protection rights in relation to their own personal data, including the right to request access. A parent/carer does not automatically have a right to obtain a child's personal data under UK GDPR.

A parent/carer may exercise a right on a child's behalf where the child authorises this or where the child does not have sufficient understanding to exercise the right independently. The Trust will consider the child's age, maturity, best interests and the circumstances of the request; there is no fixed age at which these rights transfer.

Parents/carers may also make a subject access request for personal data that relates to them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of the data we hold,
- Tell you why we are holding and processing it, and how long we will keep it for,
- Explain where we got it from, if not from you or your child,
- Tell you who it has been, or will be, shared with,
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this, and
- Give you a copy of the information in an intelligible form.

The right to data portability applies only in limited circumstances: to data provided by the individual, processed by automated means, where the lawful basis is consent or contract.

If you would like to make a request, please contact our Data Protection Officer (see details below in the 'Contact us' section).

Academy trusts **are not subject** to the parental educational-record access right in the Education (Pupil Information) (England) Regulations 2005 in the same way as maintained schools. Parents/carers should receive an annual report on attendance and attainment in all subjects. Data-protection access rights remain available as explained above. If you need a further copy of your child's annual report, please contact the school office on 01909 534060 or office@sparkenhill.com.

Please refer to the school's Data Protection Policy for further details of how your right to request your personal data will be processed.

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Other rights

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

Your right to rectification – you may have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information that you think is incomplete.

Your right to erasure – you have the right to ask us to erase your personal information in certain circumstances. We will only be able to do this in circumstances when the law and/or our policies allow.

Your right to restriction of processing – you have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing – you have the right to object to the processing of your personal information in certain circumstances. For example:

- You have an absolute right to object to direct marketing.
- You may object to certain processing based on public task or legitimate interests, although the Trust may continue where the law permits and compelling grounds apply.
- Rights are not absolute and depend on the lawful basis and circumstances. If a request cannot be met, we will explain why and tell you about the right to complain.
- You also have rights and safeguards where a solely automated decision has a legal or similarly significant effect.

Your right to data portability - where Article 20 UK GDPR applies, you may ask for relevant data in a structured, commonly used and machine-readable format or for it to be transmitted to another controller where technically feasible. Routine school-to-school transfers, including the Common Transfer File, are separate from this right.

To exercise any of these rights, please contact our Data Protection Officer.

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Complaints

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 us in the first instance.

The Data (Use and Access) Act 2025 requires the Trust to provide an accessible way to make a data-protection complaint, acknowledge receipt within 30 days, investigate appropriately, keep the complainant informed and communicate the outcome without undue delay. Further details are in the Trust's Data Protection Policy and complaints procedure.

To make a complaint, please contact our Data Protection Officer – see 'contact us' section.

You also have the right to complain to the Information Commissioner's Office (ICO).

- Make a data-protection complaint online at <https://ico.org.uk/make-a-complaint/data-protection-complaints/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

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Contact us

If you have questions about this notice, wish to exercise a data-protection right or make a complaint, contact the Trust at Sparken Hill Academy Trust, Sparken Hill, Worksop, Nottinghamshire, S80 1AW (telephone 01909 534060; email office@sparkenhill.com), or contact our Data Protection Officer:

Debbie Pettiford, The DP Advice Service Ltd
dpo@sparkenhill.com.

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This notice is based on the Department for Education's model privacy notice for educational settings, amended for parents/carers and to reflect the Trust's processing.

