



Privacy notice for pupils (also provided to parents and carers)

Policies can be difficult for children and young adults to understand. You can ask your parents or another adult such as your teacher to help you understand it if you would to.

This document tells you how we use information about you and what we do with it. We call this information about you 'personal data' or 'personal information.'

Who we are

Schools Partnership Tutors, or SP Tutors as we are otherwise known, is a tutoring agency. We were established to provide quality tutors to schools to help pupils that have been disadvantaged by the Covid-19 lockdown. The Government felt that there would be lots of pupils who found learning at home difficult, for many reasons, and would now need a bit of extra support to catch up with their lost learning. SP Tutors is working alongside your school to make this happen. We are also working alongside the Education Endowment Foundation's (EEF's) National Tutoring Programme to make sure tutoring is as effective as it can be and we need to collect data about you, your school and your tutor so we can help evaluate its effectiveness – SP Tutors is called the Joint Data Controller.

The postal address of the SP Tutors is Unity SP Offices, Park Road, Haverhill, Suffolk CB9 7YD.

If you want to contact us about your personal information you can contact our Data Protection Officer at dpo@unitysp.co.uk. Alternatively, you can speak to them or you can leave a letter at reception or send one by post.

In this notice, 'we' and 'us' means SP Tutors. 'You', 'data subject' and 'pupils' includes children who have been tutored, are being tutored and those who will be tutored.

The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as gender*, ethnicity*, socio-economic status, language and proximity to school)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)*
- attendance (such as sessions attended, number of absences, absence reasons, school absence and exclusions)
- assessment and attainment (such as test results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Information about free school meal and pupil premium eligibility
- Reasons for programme eligibility and programme participation

We may also use photographs or videos of you during your tutoring sessions, particularly if they are

online sessions, including images captured by CCTV. More details about this are in our photograph policy and our combined data protection and freedom of information policy.

Why we collect and use pupil information

The personal data collected is essential, for us to fulfil our official functions and meet legal requirements.

We collect and use pupil information, for the following purposes:

- a) to support your learning
- b) to keep you safe (e.g. safeguarding)
- c) to monitor and report on your progress
- d) to support research related to the National Tutoring Programme and EEF's aims
- e) to assess the quality of our services
- f) to meet the statutory duties placed on us by the Department for Education (DfE)

Use of your personal data in automated decision making and profiling

We don't currently put your personal information 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.

Our lawful basis for using your personal data

Under the General Data Protection Regulation (EU) 2016/679 (GDPR), the lawful bases we rely on for processing pupil information are:

- for purposes (a), (c), (d) & (f) the legal basis of 'public task': collecting the data is necessary to perform tasks that we are required to perform as part of our statutory function
- for purpose (b) the legal basis of 'vital interests': to keep children safe
- for purpose (e) the legal basis of 'consent': the data subject has given consent to the processing of their personal data for one or more specific purposes
- for purpose (g) the legal basis of 'legal obligation': data collected for DfE census information
 - Section 537A of the Education Act 1996
 - the Education Act 1996 s29(3)
 - the Education (School Performance Information) (England) Regulations 2007
 - regulations 5 and 8 School Information (England) Regulations 2008
 - the Education (Pupil Registration) (England) (Amendment) Regulations 2013

In addition, concerning any special category data:

- In the case of ethnicity and biometric information: condition (a) of GDPR Article 9 (2): the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in GDPR Article 9 (1) may not be lifted by the data subject.

How we collect pupil information

When we collect personal information on our forms, we will make it clear whether there is a legal

requirement for you / your parents to provide it, whether there is a legal requirement on SP Tutors to collect it. If there is no legal requirement then we will explain why we need it and what the consequences are if it is not provided. Please see the National Tutoring Programme's Privacy Policy on SP Tutors' website for more information on why we are collecting data on their behalf.

If you had a previous school, we will also obtain information from them, usually via secure file transfer.

When we give your information to others

We will not give information about our pupils to anyone without your consent unless the law and our policies allow us to do so. If you want to receive a copy of the information we hold about you, please contact the Data Protection Lead at your school.

Once our pupils reach the age of 13, the law requires us to pass on certain information to the provider of youth support services in their area. This will be your local authority. They have responsibilities in relation to the education or training of 13-19 year olds. We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers in order to secure appropriate services for them. A parent / guardian can request that **only** their child's name, address and date of birth be passed to the provider of youth support services in their area by informing the office at their child's school. This right is transferred to the child once they reach the age of 16. For more information about services for young people, please go to your local authority's website.

We are required to share information about our pupils with the Department for Education (DfE) either directly or via the local authority for the purpose of data collections, under:

- Section 537A of the Education Act 1996
- the Education Act 1996 s29(3)
- the Education (School Performance Information) (England) Regulations 2007
- regulations 5 and 8 School Information (England) Regulations 2008
- the Education (Pupil Registration) (England) (Amendment) Regulations 2013

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current government security policy framework

To find out more about the pupil information we share with the Department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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 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. 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 [National pupil database: user guide and supporting information - GOV.UK](#).

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- 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's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

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

We will also normally give information about you to your parents or your main carer. Where appropriate, we will listen to your views first. We will also take family circumstances into account, in particular where a court has decided what information a parent is allowed to have.

We may also disclose your personal data to:

- Your new school if you move schools
- The local authority (to ensure that they can conduct their statutory duties under the School Admissions Code, including conducting Fair Access Panels)
- Professionals providing services connected with SEND (special educational needs or disabilities) support
- School nurse
- School counsellor
- CAMHS (Child and Adolescent Mental Health Service)

The information disclosed to these people / services may include sensitive personal information (special category data) about you. Usually this means information about your health and any special educational needs or disabilities which you have. We do this because these people need the information so that they can support you.

Our disclosure of your personal data is lawful for the following reasons:

- SP Tutors is under a legal obligation to disclose the information or disclosing the information is necessary for us to meet legal requirements imposed upon us such as our duty to look after our pupils and protect them from harm.
- It is necessary for us to disclose your information for the purposes of our functions in providing schooling. This is a function which is in the public interest.
- There is a substantial public interest in disclosing your information because it is necessary to keep our pupils safe from harm.
- We may not need consent to disclose your information. However, if at any time it appears to us that we would need consent then we will ask before a disclosure is made.

It is in your interests for your personal information to be passed to these people or services. If we need consent to pass on your information, we will ask you for consent once we think that you can understand what we are asking. This is because the law requires us to ask you if you can understand. Normally, we involve your parents too. By law we won't need their consent if you can give it, but parents like to be involved because it is part of looking after you. Before you are old enough to understand we will ask your parents to consent for you.

We may share personal information about you with the following international third parties outside of the European Economic Area, where different data protection laws apply:

- ClassDojo – a free communication platform based in the United States of America which complies with the EU (European Union) Standard Contractual Clauses

If we transfer personal information to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

How long we keep your information

We only keep your information for as long as we need to or for as long as the law requires us to. Most of the information we have about you will be in your pupil file. We usually keep these until your 25th birthday unless you move to another school in which case we send your file to your new school. We have a policy which explains how long we keep information. It is called a records retention policy and you can find it on the SP Tutors' website.

Your rights

You have these rights:

- You can ask us for a copy of the information we have about you
- You can ask us to correct any information we have about you if you think it is wrong
- You can ask us to erase information about you (although we may have good reasons why we cannot do this)
- You can ask us to limit what we are doing with your information
- You can stop your information being used to send you marketing materials
- You can object to decisions being taken by automated means
- You can object to what we are doing with your information if it is likely to cause, or is causing, damage or distress
- You can ask us to transfer your information to another organisation in a format that makes it easy for them to use.

There is more information in our combined data protection and freedom of information policy, which you can find on the SP Tutors' website.

You can complain about what we do with your personal information. If you are not happy with our answer to your complaint, then you can complain to the Information Commissioner's Office (ICO):

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

Report a concern online at <https://ico.org.uk/make-a-complaint/>