

## **PRIVACY NOTICE FOR STUDENT/PARENT INFORMATION**

### 1. What is the purpose of this document?

- 1.1. The Learning Trust ("Trust") is committed to protecting the privacy and security of its students' and parents' personal information. This privacy notice describes how we collect and use personal information about students during and after their time at the Trust, in accordance with the UK General Data Protection Regulation (UK GDPR), together with associated data of their parents/guardians.
- 1.2. The Trust is a "data controller". This means that we are responsible for deciding how we hold and use personal information about students. We are required under data protection legislation to notify data subjects of the information contained in this privacy notice.
- 1.3. This notice applies to current and former students. Where necessary and appropriate, it is provided to parents and guardians, instead of or as well as to students directly. We may update this notice at any time.
- 1.4. It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your specific rights are under data protection legislation.

### 2. Data protection principles

- 2.1. We will comply with data protection law. This says that the personal information we hold about you must be:
  - 2.1.1. Used lawfully, fairly and in a transparent way.
  - 2.1.2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
  - 2.1.3. Relevant to the purposes we have told you about and limited only to those purposes.
  - 2.1.4. Accurate and kept up to date.
  - 2.1.5. Kept only as long as necessary for the purposes we have told you about.
  - 2.1.6. Kept securely.

### 3. The kind of information we hold about you

3.1. Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

3.2. The categories of student information that we collect, hold and share include:

3.2.1. Personal information (including but not limited to name, unique student number, photo, and address).

3.2.2. Characteristics (including but not limited to language, ethnicity, nationality, or country of birth, free school meal eligibility).

3.2.3. Relevant contact details (including but not limited to email, phone number (home and mobile) and emergency contact details).

3.2.4. Attendance information (including but not limited to sessions attended).

3.2.5. Internal and external assessment, and exam information (including but not limited to Key Stage 1, phonics results. Key stage 2, pre and post 16 results).

3.2.6. Education history and future (including but not limited to school attendance and records).

3.2.7. Exclusions / behavioural information (such as suspensions, exclusions and any relevant alternative provision put in place).

3.2.8. Post 16 learning information.

3.2.9. Safeguarding and welfare information (including but not limited to court orders and professional involvement).

3.2.10. Information related to school trips and activities at school (including but not limited to parental consents, dietary requirements, allergies, medical conditions, medication, and travel information).

3.2.11. Personal identification (such as passport, driving licence and birth certificate).

3.2.12. CCTV footage and other information obtained through electronic means (such as swipe cards/fobs for access doors).

3.3. There are also "special categories" of more sensitive personal data, which require a higher level of protection. The categories of sensitive student information we collect, hold and share include:

3.3.1. Relevant medical information (including but not limited to doctor's information, child health, dental health, allergies, medication and dietary requirements).

3.3.2. Special educational needs information (including the needs and ranking).

3.3.3. Sensitive behavioural information.

3.3.4. Characteristics (including but not limited to race or ethnicity, biometric fingerprint information, free school meal eligibility or student finance status).

3.3.5. Attendance information (including but not limited to number of absences and absence reasons).

3.4. Please note the list of categories of student information is not exhaustive.

#### 4. Why we collect and use this information

##### 4.1. We use the student/parent data:

- 4.1.1. To support student learning.
- 4.1.2. To monitor and report on student progress and attainment.
- 4.1.3. To provide appropriate pastoral care.
- 4.1.4. To assess the quality of our services.
- 4.1.5. To comply with the law regarding data sharing.
- 4.1.6. To access enrichment and extra-curricular activities.
- 4.1.7. To facilitate systems used in schools (such as cashless catering, sales and school communication systems).
- 4.1.8. To record student financial eligibility.
- 4.1.9. To safeguard students and ensure their welfare (food allergies, or emergency contact details).
- 4.1.10. To publicise the school and related achievements.
- 4.1.11. To meet the statutory duties placed upon us for Department of Education (“DfE”) data collections.

#### 5. The lawful basis on which we use this information

##### 5.1. Under the UK GDPR, [UK General Data Protection Regulation](#) the lawful bases we rely on for processing pupil information are:

- 5.1.1. For the purposes of 4.1.5 and 4.1.11, processing is necessary for compliance with a legal obligation: data collected for DfE census information;
- 5.1.2. For the purposes of 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.6, 4.1.7 and 4.1.8, processing is necessary for the performance of a task carried out in the public interest: collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function;
- 5.1.3. For the purposes of 4.1.9, processing is necessary in order to protect the vital interests of a data subject or another person.

##### 5.2. We may also use your personal information in the following situations, which are likely to be rare:

- 5.2.1. Where you have given consent to process personal data (if the processing is not covered under 5.1 above).
- 5.2.2. Where necessary to perform a contract with you.

##### 5.3. "Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information as such the Learning Trust complies with the conditions set out in Article 9 of the UK GDPR. We may process special categories of personal information in the following circumstances:

- 5.3.1. In limited circumstances, with explicit written consent: in the case of ethnicity and Biometric fingerprint information, 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 paragraph 1 may not be lifted by the data subject.
  - 5.3.2. Where we need to carry out our legal obligations and in line with our data protection policy.
  - 5.3.3. For vital interests where processing is necessary to protect a pupil's life.
  - 5.3.4. Where it is needed in the public interest, such as for equal opportunities monitoring or to support education, and in line with our data protection policy.
  - 5.3.5. Where it is needed to assess the student's health, subject to appropriate confidentiality safeguards.
- 5.4. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.
  - 5.5. We may also collect and process personal data as required by the Education Act 1996, including related to censuses.

## 6. Collecting student information

- 6.1. We collect pupil information including but not limited to the following methods :
  - 6.1.1. Registration forms;
  - 6.1.2. Medication forms;
  - 6.1.3. Common Transfer Files (CFTs) from previous schools;
  - 6.1.4. Child protection plans.
- 6.2. We obtain pupil information via registration forms at the start of each academic year. In addition, when a child joins us from another school, we are sent a secure file containing relevant information.
- 6.3. Pupil data is essential for the Trust's operational use. Whilst the majority of student information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the UK General Data Protection Regulation, we will inform you whether you are required to provide certain student 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.

## 7. Storing student data

- 7.1. We hold student data for no longer than necessary for the purpose for which it was obtained. The Trust is required to share certain information, such as providing information to schools/universities. It also maintains student records in accordance with national guidelines. Please see the Retention of Records Guidelines policy for more information.

## 8. Who we share student information with

### 8.1. We routinely share student information with:

- 8.1.1. Schools that students attend after leaving us.
- 8.1.2. Our local authority.
- 8.1.3. The DfE.
- 8.1.4. Other schools within The Learning Trust's multi-academy trust.
- 8.1.5. Awarding bodies and exam boards.
- 8.1.6. Tour companies providing school trips.
- 8.1.7. Social services and linked agencies for health and welfare.
- 8.1.8. Police.
- 8.1.9. School photography companies.
- 8.1.10. Third party learning providers (including virtual learning environments).
- 8.1.11. Third party pupil results and progress analysers.
- 8.1.12. Youth support services (for pupils aged 13+)
- 8.1.13. Other schools within the district of Cheshire West and Chester with regards to Sporting Achievements and Team Selection Purposes

## 9. Why we share student information

- 9.1. We do not share information about our students with anyone without consent unless the law and our policies allow us to do so.
- 9.2. We share student data with the DfE on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.
- 9.3. We are required to share information about our students with the DfE under regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013.

## 10. Data collection requirements

- 10.1. To find out more about the data collection requirements placed on us by the DfE (for example; via the school census) go to [https://www.gov.uk/education/data-collection-and-censuses-for-schools#guidance\\_and\\_regulation](https://www.gov.uk/education/data-collection-and-censuses-for-schools#guidance_and_regulation).

## 11. Youth support services

### 11.1. Students aged 13+:

- 11.1.1. Once our students reach the age of 13, we also pass student information to our local authority and/or providers of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.
- 11.1.2. This enables them to provide services as follows:
  - 11.1.2.1. Youth support services.

- 11.1.2.2. Careers advisers.
  - 11.1.3. A parent or guardian can request that only their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the student once he/she reaches the age 16.
  - 11.1.4. Data is securely transferred to the youth support service via a secure file transferring system and is stored within local authority software.
- 11.2. Students aged 16+:
- 11.2.1. We will also share certain information about students aged 16+ with our local authority and/or providers of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.
  - 11.2.2. This enables them to provide services as follows:
    - 11.2.2.1. Post-16 education and training providers.
    - 11.2.2.2. Youth support services.
    - 11.2.2.3. Careers advisers.
  - 11.2.3. A child / pupil once they reach the age of 16 can object to only their name, address and date of birth is passed to their local authority or provider of youth support services by informing us.
  - 11.2.4. Data is securely transferred to the youth support service via a secure file transferring system and is stored within local authority software
  - 11.2.5. For more information about services for young people, please visit our local authority website.

## 12. Department for Education ("DfE")

- 12.1. The DfE collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the DfE either directly or via our local authority for the purpose of those data collections, under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.
- 12.2. 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.
- 12.3. For more information, please see Appendix 1: 'How Government uses your data'.

## 13. Requesting access to your personal data

- 13.1. Under data protection legislation, parents and students have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the Data Protection Officer.
- 13.2. You also have the right to:
  - 13.2.1. Object to processing of personal data that is likely to cause, or is causing, damage or distress.

- 13.2.2. Object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics.
- 13.2.3. Not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- 13.2.4. To have personal data rectified if it is inaccurate or incomplete.
- 13.2.5. To request the deletion or removal of personal data where there is no compelling reason for its continued processing.
- 13.2.6. To restrict our processing of your personal data (i.e. permitting its storage but no further processing).
- 13.2.7. A right to seek redress, either through the ICO, or through the courts.

#### 14. Withdrawal of consent and right to lodge a complaint

- 14.1. 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 the Data Protection Officer.
- 14.2. If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact 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 DfE, please visit the 'How Government uses your data' section of this notice.

- 14.3. If a child is considered too young to exercise their rights, a parent or carer may act on their behalf, but the Learning Trust will need to consider the best interests of the child before responding. For more information about responding to subject access requests on behalf of children please refer to the ICO website at: <http://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-of-access/#13>

#### 15. Contact

- 15.1. If you would like to discuss anything in this privacy notice, please contact the Data Protection Officer at [dpo@tltrust.co.uk](mailto:dpo@tltrust.co.uk).

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## Appendix 1: How the 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 DfE (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

### The National Pupil Database (“NPD”)

Much of the data about pupils in England goes on to be held in the 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 <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

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

The law allows the Department 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’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 their legal powers to contact DfE to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department 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 DfE holds about you**

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's 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 DfE: <https://www.gov.uk/contact-dfe>.