

# Privacy notice

## Use of pupils' personal data

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Blaby Stokes CE  
Primary School



Church Langton CE  
Primary School



Great Bowden CE  
Academy



Husbands Bosworth  
CE Primary School



Lubenham All Saints  
CE Primary School



Market Harborough  
CE Academy



Meadowdale  
Primary School



Red Hill Field  
Primary School



Ridgeway  
Primary School



South Kilworth CE  
Primary School



St Andrews CE  
Primary School

## Introduction

Under data protection law, individuals have a right to be informed about how the Trust/school uses any personal data that they hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils at our schools**.

Our trust, Learn Academies Trust, School Lane, Lubenham, Market Harborough, LE16 9TW is the 'data controller' for the purposes of data protection law.

Our data protection officer is Louise Wiltshire (see 'Contact us' below).

## The personal data we hold

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

- Contact details and contact preferences (such as your name, address, email address and telephone numbers)
- Bank details
- Details of your family circumstances
- Details of any safeguarding information including court orders or professional involvement
- Records of your correspondence and contact with us
- Details of any complaints you have made

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any health conditions you have that we need to be aware of
- Photographs and CCTV images captured in school
- For faith schools: your religion, as part of our admission arrangements
- We may also hold data about you that we have received from other organisations, including other schools and social services.
- Data about your use of the school's information and communications system, including Microsoft Teams for remote education
- Video images of pupils, parents and carers captured during recorded online lessons, meetings and events and stored securely within the Microsoft Teams digital platform.

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any health conditions you have that we need to be aware of

- Photographs, CCTV and video images captured in school and online during remote education or other online events in Microsoft Teams
- For faith schools: your religion, as part of our admission arrangements
- We may also hold data about you that we have received from other organisations, including other schools and social services.

## **Why we use this data**

We use the data listed above to:

- Report to you on your child's attainment and progress
- Keep you informed about the running of the school (such as emergency closures) and events
- Process payments for school services and clubs
- Provide appropriate pastoral care
- Protect pupil welfare
- Administer admissions waiting lists
- Assess the quality of our services
- Carry out research
- Comply with our legal and statutory obligations
- Comply with the Coronavirus Act 2020 – Provision of Remote Education Temporary Continuity Direction

## **Why we require your National Insurance number**

To ascertain your eligibility for obtaining additional funding for the school.

## **Use of your personal data for marketing purposes**

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

## **Use of your personal data in automated decision making and profiling**

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

## **Our lawful bases for using this data**

Our lawful bases for processing your personal data for the purposes listed in section 3 above are as follows:

- The '**public task**' basis – we need to process data to fulfil our statutory function as an education provider responsible for the care of children and the provision of education as set out below,

and

- The **'legal obligation'** basis – we need to process data to meet our responsibilities under law as set out here:
  - Childcare Act 2006 (Section 40 (2)(a))
  - The Education Reform Act 1988
  - Education (Independent School Standards) Regulations 2014
  - Further and Higher Education Act 1992,
  - Education Act 1994; 1998; 2002; 2005; 2011
  - Health and Safety at Work Act 2015
  - Safeguarding Vulnerable Groups Act 2006
  - Coronavirus Act 2020 – Provision of Remote Education Temporary Continuity Direction
  - Working together to Safeguard Children Guidelines (DfE)
  - Keeping Children Safe in Education 2020
  - Learn-AT Articles of Association
  - Learn-AT Funding Agreement

## **Our basis for processing special category data**

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions we have identified for processing as set out in data protection law (Article 9 UK GDPR):

- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest.

## **Collecting this data**

While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, 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 of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Your children
- Police forces, courts, tribunals

## **How we store this data**

We keep personal information about pupils while they are attending our schools. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our Records Management Policy sets out how long we keep information about pupils. The Records Management Policy can be found on our website at <http://www.learnat.uk>

We have put in place appropriate security measures to prevent your personal information being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

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

We do not share information about you 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:

- *Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions*
- *The Department for Education*
- *The pupil's family and representatives*
- *Educators and examining bodies*
- *Regulatory bodies (e.g. Ofsted)*
- *Suppliers and service providers – to enable them to provide the service we have contracted them for*
- *Financial organisations*
- *Central and local government*
- *Our auditors*
- *Survey and research organisations*
- *Health authorities*
- *Security organisations*
- *Health and social welfare organisations*

- *Professional advisers and consultants*
- *Charities and voluntary organisations*
- *Police forces, courts, tribunals*
- *Professional bodies*

## **Transferring data internationally**

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

## **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 for Education 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, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

## **Your Rights**

### **How to access personal information that we hold about you**

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- 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
- 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
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

## **Your other rights regarding your data**

Under data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us (see 'Contact us' below).

## **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.

To make a complaint, please contact our Data Protection Officer (see details below). The form for submitting a complaint can be found on the Learn AT website at [www.learnat.uk](http://www.learnat.uk)

Alternatively, you can make a complaint to the Information Commissioner's Office:

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

## **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer in writing:

Sophie Hill

Legal Assistant – School DPO Service  
Warwickshire Legal Services  
Governance and Policy  
Resources Directorate - Warwickshire County Council  
Warwickshire County Council  
Shire Hall  
Warwick, Warwickshire CV34 4RL  
Tel: 01926 412859

## **Subject Access Request**

The form for submitting a subject Access Request can be found on the Learn AT website at <http://www.learnat.uk>