

# Privacy notice for parents and carers about the use of pupils' personal data

## Contents

1. Introduction.....	2
2. The personal data we hold.....	2
3. Why we use this data.....	3
4. Our lawful basis for using this data.....	3
5. Collecting this data.....	4
6. How we store this data.....	4
7. Who we share data with.....	5
8. Your rights.....	6
9. Complaints.....	7
10. Contact us.....	7



Baby 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

### Learn Academies Trust

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 pupils includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school
- Pupils' work
- 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 pupils that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any health conditions pupils 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: pupils' religion, as part of our admission arrangements

We may also hold data about pupils 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:

- Support pupil education and 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
- Comply with the law regarding data sharing
- Comply with the Coronavirus Act 2020 – Provision of Remote Education Temporary Continuity Direction

## Use of your personal data for marketing purposes

Where parents/carers 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 pupils' 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 pupils' 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

## **Conditions 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 about 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 your child will come from you, but we may also hold data about pupils 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 pupils' personal information being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

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

## **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:

- 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 your child.

If you make a subject access request, and if we do hold information about your child, 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 child's 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  
Email: schooldpo@warwickshire.gov.uk  
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>