

## PRIVACY NOTICE FOR PUPILS/STUDENTS AND PARENTS

This privacy notice describes how *The Collegiate Trust* (hereafter referred to as *TCT* or *the Trust* and always meaning the Trust collectively and each school within the Trust) will collect and use personal information about pupils/students, in accordance with the UK General Data Protection Regulation (UK GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relates to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

This notice applies to all pupils/students and parents.

### **Who Collects This Information?**

The Trust is the “data controller.” This means that the Trust is responsible for deciding how it holds and uses personal information about pupils/students and parents. Under data protection legislation, the Trust is required to notify you of the information contained in this privacy notice.

This notice does not form part of any contract to provide services and the Trust may update this notice at any time.

It is important that you read this notice with any other policies mentioned within this privacy notice, so that you are aware of how and why the Trust are processing your information, what your rights are under data protection legislation and the procedures that are taken to protect your personal data.

### **Data Protection Principles**

The Trust will comply with the data protection principles when gathering and using personal information, as set out in the data protection policy, which can be found on the Trust website [The Collegiate Trust | Exceptional Education for All \(tct-academies.org\)](https://www.tct-academies.org)

### **Categories of Pupil Information Collected, Processed, Held and Shared**

The Trust may collect, store and use the following categories of personal information about you:

- Personal information such as name, pupil number, date of birth, gender and contact information;
- Emergency contact and family lifestyle information such as names, relationship, phone numbers and email addresses;
- Characteristics (such as language, and free school meal eligibility);
- Attendance details (such as sessions attended, number of absences and reasons for absence);
- Performance and assessment information including public examinations;
- Behavioural information (including exclusions);
- Images of pupils engaging in school activities, and images captured by the School’s CCTV system;
- Information about the use of IT, communications and other systems, and other monitoring information;
- Financial details;
- Post 16 learning information;
- Recordings of pupils and/or parents from the school’s video conferencing platform;

The Trust may also collect, store and use the following more sensitive types of personal information:

- Information about your race or ethnicity, religious or philosophical beliefs
- Information about your health, including any medical conditions and sickness records.
- Special educational needs information;
- Biometric data

## **How Information is Collected**

Whilst the majority of information you provide is mandatory, some of it is provided on a voluntary basis. To comply with the UK General Data Protection Regulation, the Trust will inform you whether you are required to provide certain pupil/student information or if you have a choice in this.

It is important that the personal information held about you is accurate and current. Please keep the Trust informed if your personal information changes during your relationship with us.

## **How Your Personal Information is Used**

The Trust holds pupil/student data and use it for:

- Pupil/student selection (and to confirm the identity of prospective pupils/students and their parents);
- Providing education services and extra-curricular activities to pupils/students, and monitoring pupils'/students' progress and educational needs;
- Informing decisions such as the funding of schools within the Trust;
- Assessing performance and to set targets for schools within the Trust;
- Safeguarding pupils'/students' welfare and providing appropriate pastoral (and where necessary medical) care;
- Support teaching and learning;
- Giving and receive information and references about past, current and prospective pupils/students, and to provide references to potential employers of past pupils/students;
- Managing internal policy and procedure;
- Enabling pupils/students to take part in assessments, to publish the results of examinations and to record pupil/student achievements;
- To carry out statistical analysis for diversity purposes;
- Legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care;
- Enabling relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- Monitoring use of the Trust's IT and communications systems in accordance with the Trust's IT security policy;
- Making use of photographic images of pupils/students in Trust publications, on the Trust websites and on social media channels;
- Security purposes, including CCTV; and
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

## **The Lawful Bases on which this Information is Used**

The Trust will only use your information when the law allows. Most commonly, the Trust will use your information in the following circumstances:

- Consent: the individual has given clear consent to process their personal data for a specific purpose;
- Contract: the processing is necessary for a contract with the individual;
- Legal obligation: the processing is necessary to comply with the law (not including contractual obligations);
- Vital interests: the processing is necessary to protect someone's life.
- Public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law; and
- The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The Trust needs all the categories of information in the list above primarily to allow compliance with legal obligations. Please note that the Trust may process information without knowledge or consent, where this is required or permitted by law.

## **How Particularly Sensitive Personal Information is Used**

Special categories of particularly sensitive personal information, such as information about your health, racial or ethnic origin, sexual orientation, or biometrics require higher levels of protection. The Trust needs to have further justification for collecting, storing and using this type of personal information. The Trust has in place an appropriate policy document and safeguards which are required by law to be maintained when processing such data. The Trust may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent.
- Where the Trust needs to carry out its legal obligations in line with the data protection policy.
- Where it is needed in the public interest, such as for equal opportunities monitoring.
- Where it is necessary to protect you or another person from harm.

Less commonly, the Trust 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.

## **Sharing Data**

The Trust may need to share your data with third parties where it is necessary. There are strict controls on who can see your information. The Trust will not share your data if you have advised that you do not want it shared unless it's the only way that can ensure you stay safe and healthy, or that the Trust are legally required to do so.

The Trust shares pupil/student information with:

- The Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013;
- Ofsted;
- Other Schools that pupils have attended/will attend;
- NHS;
- Welfare services (such as social services);
- Law enforcement officials such as police, HMRC;
- Local Authority Designated Officer;
- Professional advisors such as lawyers and consultants;
- Support services (including insurance, IT support, information security);
- Providers of learning software;
- The Local Authority.
- Youth support services – under section 507B of the Education Act 1996, to enable them to provide information regarding training and careers as part of the education or training of 13–19-year-olds.

The Department for Education request regular data sharing on pupil/student attendance to help support those vulnerable pupils/students and to assist with intervention strategies.

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations, the Trust requires them to respect the security of your data and to treat it in accordance with the law.

The Trust may transfer your personal information outside the UK and the EU. If this happens, you can expect a similar degree of protection in respect of your personal information.

## **Why this Information is Shared**

The Trust do not share information about its pupils/students with anyone without consent unless otherwise required by law. For example, the Trust shares pupils'/students' data with the DfE on a statutory basis which underpins school funding and educational attainment. To find out more about the data collection requirements placed on us by the DfE please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

### **Storing Pupil/Student Data**

The Trust keeps information about pupils/students on computer systems and sometimes on paper.

Except as required by law, the Trust only retains information about pupils/students for as long as necessary in accordance with timeframes imposed by law and internal policy.

Full details on how long the Trust keeps personal data for is set out in the data retention policy, this can be found on the Trust website.

### **Biometric Data**

Some of the Trust schools would like to use your information as part of an automated (i.e. electronically operated) recognition system. This is for the purposes of catering. The information that the Trust wishes to use is referred to as 'biometric information'. This data will only be processed once the appropriate consent is obtained. For further information in relation to this, please see the Trusts biometrics policy.

### **Automated Decision Making**

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. The Trust is allowed to use automated decision making in limited circumstances.

Pupils/students will not be subject to automated decision-making, unless the Trust has a lawful basis for doing so and you have been notified.

### **Retention Periods**

Except as otherwise permitted or required by applicable law or regulation, the Trust only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

Information about how the Trust retains information can be found in the data retention policy. This document can be found on the Trust website.

### **Security**

The Trust has put in place measures to protect the security of your information (i.e. against it being accidentally lost, used, or accessed in an unauthorised way).

### **Youth Support Services**

Students aged 13+

Once students reach the age of 13, student information is passed to the local authority and / or provider 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.

The Trust must provide the students name, the parents name(s) and any further information relevant to the support services role.

This enables them to provide services as follows:

- youth support services
- careers advisers

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 they reaches the age of 16.

## Students aged 16+

The Trust will also share certain information about students aged 16+ with the local authority and / or provider 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.

This enables them to provide services as follows:

- post-16 education and training providers
- youth support services
- careers advisers

For more information about services for young people, please visit the school's local authority website.

## **The National Pupil Database**

The NPD is owned and managed by the Department for Education and contains information about pupils/Students 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.

The Trust is required by law, to provide information about its pupils/students to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

The department may share information about the Trusts pupils/students from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of how data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data?
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil/student information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

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>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

Under data protection legislation, pupils/students and parents have the right to request access to information about them that are held. To make a request for your personal information, or be given access to your child's education record, contact the Governance and Compliance Manager at [DataProtection@tct-academies.org](mailto:DataProtection@tct-academies.org)

### **Requesting Access to your Personal Data**

The Trust may need to request specific information from you to help confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

If you want to request information, please see the data protection policy, which information to request a subject access request (SARs).

### **Right to Withdraw Consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Governance and Compliance Manager via [DataProtection@tct-academies.org](mailto:DataProtection@tct-academies.org)

Once notification has been received that you have withdrawn your consent, the Trust will no longer process your information for the purpose or purposes you originally agreed to, unless there is another legitimate basis for doing so in law.

### **Contact**

The Governance and Compliance Manager oversees compliance for data protection and this privacy notice, with the support of Judicium who are the Trust's named Data Protection Officer (DPO). If you have any questions about how the Trust handles your personal information you can contact the Governance and Compliance Manager via [DataProtection@tct-academies.org](mailto:DataProtection@tct-academies.org)

The Governance and Compliance Manager will work with the DPO to resolve your query.

Data Protection Officer: Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)

Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)

Lead Contact: Craig Stilwell

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues: -

[Contact us | ICO](#)

### **Changes to this Privacy Notice**

The Trust reserves the right to update this privacy notice at any time and will inform you of any substantial updates. The Trust may also notify you in other ways from time to time about the processing of your personal information.