

Privacy Notice - How we use pupil and learner information

The categories of pupil/learner information that we process

We process data relating to pupils/learners at our schools, colleges and adult learning provision. The processing of data is necessary to deliver our educational offer to our pupils/ learners.

The categories of pupil/ learner information that we collect, process and hold include:

- personal information such as name, address, date of birth, contact details, unique pupil/learner number, candidate or examination numbers, next of kin and emergency contacts numbers
- special categories of data including characteristics information such as gender, age, ethnic group, language, religious beliefs, free school meal eligibility and health data etc.
- safeguarding information such as court orders, professional involvement, observations and outcome
- travel information
- health and medical information such as doctor's information, child/learner health, dental health, allergies, medication, disability, dietary and other relevant health information and special educational needs
- educational information such as educational performance, attainment, achievement and examination grades
- attendance information including sessions attended, number of absences, absence reasons and any previous schools attended
- behavioural information such as exclusions and any relevant alternative provision put in place
- biometric and identify cards information for cashless catering, library and printing services
- images such as CCTV, photographs or video recordings such as official school photographs, classwork activities, performances or events and visitor management system
- consent – your consent preferences

This list is not intended to be exhaustive.



Why we collect and use pupil/learner information

We need this information for a variety of reasons:

- fulfil our statutory obligations as an educational organisation
- enable the development of a comprehensive picture of our pupils/ learners and to deploy our resources appropriately to meet educational, social and health needs
- to access eligibility for funding, bursaries and other grants
- monitor and report on pupil/ learner progress, attainment, attendance and behavior
- operate and keep a record of absence management and other types of absences such as exclusions
- communicate with pupils/learners regarding homework and other important school matters
- maintain accurate pupil/ learner records including emergency contact details
- keep our pupils/ learners safe as part of our safeguarding responsibilities, as well as food allergies, emergency contacts and professional involvement to support needs
- provide access to facilities such as building / room access, print facilities, library and catering facilities and learning resources
- to create IT accounts, manage user groups and secure our key learning technologies (Microsoft Teams, Google etc.)
- to respond to complaints, grievances and disciplinary matters
- inform the development of recruitment and retention policies

This list is not intended to be exhaustive.

The lawful basis on which we process this information

Under the UK General Data Protection Regulation (UK GDPR), the lawful basis we rely on for processing pupil/ learner information are under Article 6, and Article 9 where data processed is special category data from the General Data Protection Regulations May 2018 and for data collection purposes under the Education Act 1996.



We process a wide range of personal data for a variety of purposes. The lawful basis we rely on will therefore vary. However, generally, the lawful basis we mainly use in relation to our pupils/learners includes:

- Where it is necessary for us to perform a task which is in the public interest or to exercise our official duties. This broad legal basis is applicable to almost all the processing we do involving personal data.
- Where it is necessary for compliance with a legal obligation. For example, we collect and use pupil/ learner information under legal and statutory obligations within the Keeping Children Safe in Education (KCSIE) statutory guidelines, as well as health and safety laws.
- The data subject has given us their consent.
- Where consent is not required for most of the processing we do; however, there are occasions when we ask for consent. For example, if we want to publish photographs or videos of pupils/learners; collect pupil/learner fingerprints to provide them with access to our cashless catering or library systems; share data with other organisations or individuals where we are not legally required to share that data. Where we are processing your data with your consent, you have the right to withdraw that consent. If you change your mind, or if you are unhappy with our use of your personal data, please let us know by contacting the school or adult learning main office.
- Where the processing is necessary to protect the vital interests of the data subject or someone else. This is applicable where a person's life could be at risk and we need to share or make available information to help them. This could involve sharing serious allergy information with staff, paramedics or other medical professionals, or other information requested by the police or social services to assist them in their enquiries to protect that person.
- Where the processing is necessary for our legitimate interests or the legitimate interests of a third party. This is applicable where the processing is not required by law but is of clear benefit to the School/Trust or the data subject; there is limited privacy impact on individuals and the individual reasonably expects us to use their data in this way. This legal basis is not relied upon where we are processing data to perform official tasks.

We may also collect, store, and use information about you that falls into “special categories” of more sensitive personal data which has extra protection in law and requires us to identify a condition for processing under Article 9 of the GDPR. Where we process more sensitive data, we need an additional legal basis. The basis we mainly use are:

- The data subject has given explicit consent. This is usually applicable where we ask for health, dietary information or biometric data (such as fingerprints).
- The processing is necessary for performing any right or obligation which is imposed on the School/Trust in relation to social protection law (e.g. safeguarding individuals at risk; protection against unlawful acts; prevention against fraud). This is usually applicable where we are performing our safeguarding duties to protect pupils.



- It is necessary to protect the vital interests of any person where the data subject is physically or legally incapable of giving consent. This could be relied upon in situations where someone has become seriously ill on our premises and we are asked by medical practitioners (such as paramedics), to share information we know about that person's health or allergies.
- The processing is necessary for the establishment, exercise or defence of legal claims. We may share or use special category data where legal action is being considered or underway.
- The processing is necessary in the substantial public interest. This may be relied upon in circumstances where our processing is necessary to safeguard children or others at risk or where we respond to requests from the Police or law enforcement bodies, to assist in an investigation to prevent or detect an unlawful act.

This list is not intended to be exhaustive.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify our use of your data. There are also other lawful bases that may apply, and this will be made clear wherever possible.

Collecting and protecting pupil/learner information

We collect pupil/learner information to enable us to manage our pupils/learners and to help us to operate our Schools, Adult Learning and overall Trust. Pupil/learner data is essential for our operational use. Whilst the majority of pupil information you provide is mandatory, some of it requested is on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

We collect and use information about you in a variety of ways. Most commonly is the collection of information through registration forms at the start of the school year, Common Transfer Files (CTFs) or secure file transfer from previous schools.

We take our security responsibilities seriously to protect your personal data from accidental or unlawful access, disclosure, loss, damage or destruction. For example:

- Access to our data is on a strict need to know basis
- Our electronic records are held on encrypted servers
- We have strict visitor management security procedures in place
- Our sensitive paper files are locked away with restricted access to the keys
- Our employees, volunteers and governors are subject to Disclosure and Barring Service (DBS) checks and employee contracts contain confidentiality clauses



- We have policies, procedures and training around data protection, security, record disposal and confidentiality.
- We use encrypted email or secure file sharing platforms to share personal data with external organisations
- We carry out due diligence checks on our service providers and Data Protection Impact Assessments, where required.
- We use up to date virus and malware protection software; security patches are applied promptly, and we back up our data regularly.

Storing pupil/learner information

Personal data is stored in line with our data protection policy in a range of different places including in your pupil/learner files, IT systems including the school's/Trust MIS and email system, as well as educational software packages.

The information contained in our files and on our systems is kept secure and only used for purposes relevant to your education and for the school/Trust operational use.

We only keep personal information for as long as we need to, and where it is necessary to comply with any legal, contractual, accounting or reporting obligations. After this period, we delete or securely destroy personally identifiable data.

For more information about how long we keep personal data, please refer to our Record Retention Schedule.

Overseas transfers: we mainly store our data in the UK or the European Economic Area (EEA); however, some of our service providers may store personal data outside these areas (usually in the USA). Where this is the case, we have a contract with these service providers which ensures they process our data securely and in line with our data protection laws.

Who and why we share pupil/learner information

We share information with a range of organisations, companies and agencies, where it is necessary for us to carry out our legal responsibilities and duties as a School/Trust. We only share information about you where it is strictly necessary for us to do so, and the law and our policies allow us to do this. The following are examples of who we share information with:



- **Department for Education:** we are required to share information about our pupils with the DfE (this is known as the 'school census'), either directly or via our local authority, so the DfE can carry out their statutory duties regarding data collections. Our duty to share this information comes under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Find out more:

For school census and our data collection requirements visit the DfE website
[Data collection and censuses for schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/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). To find out more about the NPD, visit their website
[How to access Department for Education \(DfE\) data extracts - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/how-to-access-department-for-education-dfe-data-extracts)

The law allows the DfE to share pupils' data with certain third parties. For more information about the DfE's data sharing process, visit their website
[Data protection: how we share pupil and workforce data - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/data-protection-how-we-share-pupil-and-workforce-data)

To find out which organisations the DfE has provided pupil information to, visit their website
[DfE external data shares - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/dfe-external-data-shares)

To find out how the DfE collects and shares pupil data for research purposes, visit their website
[Data protection: how we share pupil and workforce data - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/data-protection-how-we-share-pupil-and-workforce-data)

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.
<https://www.gov.uk/government/publications/security-policy-framework>

- **Local Authority:** we have a legal requirement to share certain information about our pupils with our local authority and relevant agencies, to ensure that they can carry out their statutory duties under the Schools Admission Code, including conducting Fair Access Panels. We may also be required to share child protection or safeguarding information with them, so we can carry out our statutory duties under section 11 of the Children's Act 2004 (duty to safeguard and promote the welfare of children) and to enable the local authority to carry out their duties under section 47 of the Children's Act 1989 (duty to investigate and take action to safeguard children).
- **Health Partners:** we sometimes share information about our pupils/learners with health professionals, to help the pupil receive the necessary health, educational and pastoral support they need. This is usually shared with the parent's consent (and if appropriate pupil's/learner's consent) unless it is necessary for us to carry out our official duties or safeguard the welfare of the child/learner or healthcare partners.



- **Other schools:** we are required to share a pupil's Common Transfer File and educational record with their next school when they leave us. We are also required to share a pupil's 'curricular record' with the pupil's intended school, upon request. We are required to share this data under The Education (Pupil Information) (England) Regulations 2005. If the school has a concern about the safety of a pupil, it has a duty to share relevant information with the next school, to safeguard that pupil or others.

Our schools comply with the HM Government 'Information Sharing Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers' (July 2018), whenever it shares personal data.

- **Standards and Testing Agency:** we are required to share information about pupils in EYFS to the local authority and year 2 and in year 6 to the Standards and Testing Agency, so they can facilitate and report on our key stage 1 and key stage 2 national curriculum tests (commonly referred to as SATs). More information about SATs are available on the government's website <https://www.gov.uk/government/publications/key-stage-1-and-2-national-curriculum-tests-information-for-parents>
- **Youth support services and careers advisors:** once our pupils reach the age of 13, we must share pupil information with our 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 youth support services and careers advisors.

A parent or guardian can object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the pupil once they reach the age 16.

We must also share certain information about pupils aged 16+ with our 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 post-16 education and training providers; youth support services and careers advisers.

When a student reaches the age of 16, they can object to only their name, address and date of birth being passed to their local authority or provider of youth support services, by informing us.

- **Ofsted:** we may be required to support an Ofsted inspection, where an inspector asks to see a sample of the School/Trust records. These records could identify a pupil/learner. Any identifiable personal information the inspector may see, will not be taken away or used in their reports.
- **Law enforcement:** we may be required to share information about any person we hold information about, to the police or other law enforcement agencies, to assist them in an investigation or to prevent or detect a crime or safeguard individuals at risk.
- **Research projects:** we may be invited from time to time to take part in important local or national research projects or initiatives, which are endorsed by the Department for Education.



We will let you know if we need to share identifiable pupil data as part of these projects and you will be given the opportunity to opt out from your data or your child's data being used in this way.

- **Multi-Academy Trust:** we may sometimes be required to share information about data subjects within our Multi-Academy Trust, so we can monitor and assess the quality and consistency of our services; share resources or to provide particular support to individuals. We will only share identifiable information, where this is strictly necessary to enable us to carry out our official duties.
- **Aldridge Foundation:** is a charity founded by our patron, Sir Rod Aldridge with the purpose to give all young people an equal chance at life. The Foundation support us in local or national projects or initiatives. We will let you know if we need to share identifiable pupil data as part of these projects and you will be given the opportunity to opt out from your data or your child's data being used in this way.
- **Service providers:** we use companies that provide us with a service to help us run effectively as a Trust. The services we often receive are IT support, professional advice (e.g., Human Resources), legal advice, online learning or teaching resources, communication services with parents, pupils/learners, employees and governors, catering and transport. To receive these services, we sometimes need to share personal information or use their products to store Trust data.

We also work alongside other organisations or individuals that provide services directly to our parents or pupils, such as the school photographer, organisers of extra-curricular clubs or activities or companies that run school trips or provide accommodation or transport.

The companies/individuals we use in these circumstances, may change on a regular basis. If you would like information about any specific companies or individuals we work alongside, please contact us at DPO@aldridgeeducation.org

Where we transfer personal data to a country or territory outside of the UK and European Economic Area, we will do so in accordance with data protection law and ensure that we have sufficient safeguards in place.

Requesting access to your personal data

Under data protection legislation, parents and pupils/learners have the right to request access to information about them that we hold.

You have the right to:

- to ask us for access to information about you that we hold



- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to 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 see the 'How Government uses your data' section of this notice.

To make a request for your personal information, or be given access to your child's educational record, contact:

| | |
|--------------------------------------|--|
| Darwen Aldridge Community Academy | dpl@daca.uk.com |
| Darwen Vale High School | dpl@darwenvale.com |
| Darwen Aldridge Enterprise School | dpl@daestudio.biz |
| Sudell Primary School | dpl@sudell.blackburn.sch.uk |
| Aldridge UTC@MediaCityUK | dpl@utcmedicityuk.org.uk |
| Dukes Aldridge Academy | dpl@dukesacademy.org.uk |
| Brighton Aldridge Community Academy | dpl@baca-uk.co.uk |
| Portslade Aldridge Community Academy | dpl@paca.uk.com |
| Aldridge Adult Learning | dpl@aal.org.uk |
| Aldridge Education | dpo@aldrigededucation.org |

Withdrawal of consent and the right to lodge a complaint

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:

- School Data Protection Leads (DPLs):
 - Darwen Aldridge Community Academy dpl@daca.uk.com
 - Darwen Vale High School dpl@darwenvale.com



Darwen Aldridge Enterprise School
Sudell Primary School
Aldridge UTC@MediaCityUK
Dukes Aldridge Academy
Brighton Aldridge Community Academy
Portslade Aldridge Community Academy
Aldridge Adult Learning

dpl@daestudio.biz
dpl@sudell.blackburn.sch.uk
dpl@utcmedicityuk.org.uk
dpl@dukesacademy.org.uk
dpl@baca-uk.co.uk
dpl@paca.uk.com
dpl@aal.org.uk

- Trust Data Protection Officer (DPO)

dpo@aldridgeeducation.org

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time.

This version was last updated on January 2022.

Contact

If you would like to discuss anything in this privacy notice, please contact:

Trust Data Protection Officer (DPO) - dpo@aldridgeeducation.org



How 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 Department for Education including the data that we share with them, 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 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 <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

Sharing by the Department for Education

The law allows the Department for Education 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/dfе-external-data-shares>.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education:

- 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 the department:

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