

# Privacy Notice for Adult Learners

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we 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.

We, The Challenge Academy Trust, are the 'data controller' for the purposes of data protection law.

Our data protection officer can be contacted as shown in the 'Contact us' section below.

The categories of pupil information that we collect, hold and share include:

- Personal information (such as name, unique pupil number, address, DOB, contact details such as email/ telephone numbers)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Relevant medical information
- Special educational needs information
- Internal and external assessment information
- Exclusion/ behavioural information
- Post-16/18 learning information
- Biometric data
- ID photographs
- Photographs of school events
- CCTV digital recording

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

## Why we collect and use this information

We use this data to:

- support pupil learning
- monitor and report on pupil progress
- provide appropriate pastoral care
- provide efficient access to services (catering)
- assess the quality of our services
- comply with the law regarding data sharing

## The legal basis on which we use this information

We collect and use pupil information under Article 6 (1)(b) and (1)(c) of the General Data Protection Regulations :

- 6(1)(b) Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract
- 6(1)(c) Processing is necessary for compliance with a legal obligation
- 6(1)(d) Processing is necessary to protect the vital interests of a data subject or another person
- 6(1)(e) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

We collect and use sensitive pupil information under Article 9 (2) (b) of the General Data Protection Regulations

- 9(2)(b) Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law
- 9(2)(c) Processing is necessary to protect the vital interest of a data subject or another individual
- 9(2)(e) Processing relates to personal data manifestly made public by the data subject
- 9(2)(f) processing is necessary for establishment, exercise or defence of legal claims

We may also process pupils and adult learners' data situations where:

- We have obtained consent to use it in a certain way

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

## Collecting this information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional.

## Storing this data

We keep personal information about pupils while they are attending our school. 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 and adult learners and this can be found on our website (insert link)

## **Who we share pupil information 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
- Our regulator 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

## **Why we share pupil information**

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

We share pupils' data with the Department for Education (DfE), Warrington Borough Council, other schools and The Challenge Academy Trust on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

## Data collection requirements:

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

## Youth support services

### Pupils aged 13+

Once our pupils reach the age of 13, we also pass pupil information to 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 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 child / pupil once he/she reaches the age 16.

### Pupils aged 16+

We will 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 services as follows:

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

For more information about services for young people, please visit our local authority website.

## 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.

We are required by law, to provide information about our pupils 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 our pupils 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 our 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 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>

## **Transferring data internationally**

Where we share data with an organisation that is based outside the European Economic Area, we will protect your data by following data protection law.

## **Requesting access to your personal data**

Under data protection legislation, parents, adult learners and pupils 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

**[include details of administrator / data protection officer]**

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

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/>

## 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.

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

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

## Contact

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

Adrienne Laing, Data Protection Officer, The Challenge Academy Trust, c/o Bridgewater High School, Broomfields Rd, Appleton, Warrington, WA4 3AE (01925 263919)