

## Introduction

Under Data Protection law, individuals have a right to be informed about how the trust/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<sup>1</sup>.

We, Bedfordshire Schools Trust (BEST), are the 'data controller' for the purposes of Data Protection law. Our Data Protection Officer is Craig Smith, Chief Operating Officer (see 'Contact us' below).

## The categories of pupil information that we process include:

- Personal identifiers (such as name, unique pupil number, contact details, contact preferences, address date of birth and identification documents)
- Characteristics (such as ethnic background, nationality, language or eligibility for free school meals)
- Assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- Special educational needs (including the needs and ranking)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Safeguarding information (such as court orders and professional involvement)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Photographs
- CCTV images captured in school
- Biometrics (not used in all our schools)

We may collect additional information about your child if they decide to join us on an educational trip or visit. This might include emergency contact details, passport number or EHIC.

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

The above is not an exhaustive list, to access the current list of categories of information each school processes, please contact the relevant Data Protection Lead (see 'Contact us' below).

## Why we collect and use pupil information

We use this data to:

- Support pupil learning
- Monitor and report on pupil attainment progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Meet the statutory duties placed upon us for DfE data collections
- Assess the quality of our services
- Administer admissions waiting lists

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<sup>1</sup> For the purposes of this document, pupil refers to both pupils and students

- Carry out research
- Enable us to carry out educational trips/visits
- To celebrate achievement
- Comply with the law regarding data sharing
- To enable the use of our biometric food and library services (not available in all our schools)
- For marketing purposes including websites, prospectus and social media (where consent is given)

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.

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information are:

- the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- processing is necessary for compliance with a legal obligation to which the controller is subject;
- processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- 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;
- processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

The following data, which we collect, is classed as special category data:

- racial or ethnic origin
- religious or philosophical beliefs
- biometric data
- data concerning health (both physical and mental)
- special educational needs
- photographs and CCTV images captured in school

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing special category information are:

- the data subject has given explicit consent to the processing of those personal data for one or more specified purposes;
- 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;
- processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- processing relates to personal data which are manifestly made public by the data subject;

- processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- processing is necessary for reasons of substantial public interest;
- processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;
- processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

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

We collect pupil information via registration forms, Common Transfer File (CTF) and secure file transfer from previous school.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested 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.

### How we store this data

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please refer to our GDPR policy, which is stored on the BEST website [www.bestacademies.org.uk](http://www.bestacademies.org.uk) under 'Governance'.

The BEST record retention schedule can be found within the above policy. The schedule is based on the Information and Records Management Society's toolkit for schools.

### 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 pupil data, safeguarding concerns and exclusions
- Government departments and agencies
- The pupil's family and representatives
- Educators and examining bodies
- Our regulator, Ofsted
- Suppliers and service providers (including online system suppliers) – to enable them to provide the service we have contracted them for

- 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
- Further education provider/next school (including all entities of BEST)

Please note that trainee teachers will be treated as staff whilst they complete their placement with us and therefore have access to the same information. Trainee teachers will not include any personally identifiable data within their course work, and sign a confidentiality agreement prior to commencing their placement. If the trainee wishes to include personally identifiable data, they must seek the consent of the parent/carer and, if appropriate, pupil.

### Youth support services

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

The information shared is limited to the child's name, address and date of birth. However, where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child / pupil once they reach the age 16.

When carrying out data transfers to the youth support service, the data is transferred via secure method and stored as per our policy. For details of the retention period, see retention schedule in our GDPR policy [www.bestacademies.org.uk](http://www.bestacademies.org.uk) under 'Governance'.

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

When carrying out data transfers to the youth support service, the data is transferred via secure method and stored as per our policy. For details of the retention period, see retention schedule in our GDPR policy [www.bestacademies.org.uk](http://www.bestacademies.org.uk) under 'Governance'.

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

## Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

- School census - regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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.

For more information, please see 'How Government uses your data' section.

## 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.

## Requesting access to your child's personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your child's personal information, or be given access to your child's educational record, contact the Data Protection Lead (DPL) – see 'Contact us' section for details.

Once your child is able to understand their rights over their own data (generally considered to be over the age of 12, but this has to be considered on a case-by-case basis), we need to obtain consent from your child for you to make a subject access request on their behalf.

Please note it may be necessary for us to apply the GDPR exemption to not supply information relating to the safeguarding of a pupil if we feel that the right of access would be likely to cause serious harm to the physical or mental health of any individual.

You also have the right to:

- object to our use of your child's personal data
- in certain circumstances, have personal data corrected
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have personal data erased or destroyed; and
- a right to seek redress, either through the ICO, or through the courts

If you have a concern or complaint about the way we are collecting or using your child's personal data, you should raise your concern with us in the first instance or directly 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:

Craig Smith, Chief Operating Officer, BEST

**Telephone:** 01462 413511, **Email:** [DPO@bestacademies.org.uk](mailto:DPO@bestacademies.org.uk)

For general school specific queries, please contact the Data Protection Lead for the school:

## Privacy Notice for Parents/Carers (How we use pupil information)

School	Contact	Telephone Number	Email
Samuel Whitbread Academy	Ian Butler	01462 629900	SWA-DPL@bestacademies.org.uk
Etonbury Academy	Victoria Lockey	01462 730391	ETA-DPL@bestacademies.org.uk
Robert Bloomfield Academy	Vincent Holmes	01462 628800	RBA-DPL@bestacademies.org.uk
St Christophers Academy	Rebecca Tootell	01582 500960	SCA-DPL@bestacademies.org.uk
Gothic Mede Academy	Nicola Davis/ Michael Warlow	01462 732002	GMA-DPL@bestacademies.org.uk
Gravenhurst Academy	Carol Davison	01462 711257	GHA-DPL@bestacademies.org.uk
Langford Village Academy	Dawn Mills	01462 629000	LVA-DPL@bestacademies.org.uk
Lawnside Academy	Cheryl Johnson / Marissa Stoneham	01767 312313	LSA-DPL@bestacademies.org.uk
Pix Brook Academy	Indie King-Mand	01462 416243	PBA-DPL@bestacademies.org.uk
Campton Academy <sup>1</sup>	TBC	01462 813359	
BEST Nurseries	Mrs H Hudson	01462 815637	Nursery-DPL@bestacademies.org.uk

*This notice is based on the [Department for Education's model privacy notice](#) for pupils, amended for parents and to reflect the way we use data in this school.*

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<sup>1</sup> Campton are due to join BEST in the Autumn Term 2020

## How Government uses your child's 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 (for example; via the school census) 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

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- 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. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

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/dfe-external-data-shares>

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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

## Privacy Notice for Parents/Carers (How we use pupil information)



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