NCLT Schools – STUDENT/PUPIL & FAMILY PRIVACY NOTICE

SCHOOL ESTABLISHMENTS

New Collaborative Learning Trust ensures personal data ('relating to an identifiable living individual') is only processed where there is a lawful basis to do so, observing the seven processing principles set out under the Data Protection Act and UK General Data Protection Regulation.

Who does this notice apply to?
This privacy notice applies to any student/pupil enrolled at any of the schools under the New Collaborative Learning Trust.

Data controller and collection
The organisation responsible for looking after your personal data (Data Controller) is the New Collaborative Learning Trust. The Trust is committed to being transparent about how it 'processes' (including collects, uses, stores, deletes, etc.) personal data, and to meeting its data protection obligations.

Why do we collect and use student/pupil information?
Pupil/Students/parents on their behalf choose to enrol at an NCLT school. We use student data to:

- support the admissions process
- support student learning
- monitor and report on student progression
- enable pupils to participate in exams and assessments
- maintain a safe environment for our pupils/students, workforce and visitors
- provide appropriate student support, care and guidance
- meet the legal duties placed upon us, and
- assess the quality of our services.

Why do we collect and use Family information?
We use Family data to:

- support the admissions process
- support student learning
- ensure we receive the correct funding for pupils that attend our nurseries
- monitor and report on student progression
- enable pupils to participate in exams and assessments
- maintain a safe environment for our pupils/students, workforce, parents/carers, families and visitors
- provide appropriate student support, care and guidance
- enable Free School Meals to be provided
- communicate and report, including about events and emergencies
- meet the legal duties placed upon us
- process payments and transactions, and
- assess the quality of our services.

Lawful basis for using this information (UK General Data Protection Regulation – 'UK GDPR')
It is our public duty to provide an education to our pupils/students. Processing of personal data is considered necessary for the performance of a task carried out in the public interest or in the exercise of official authority. We have a legal obligation to process pupil/student personal data, for example under SEND, safeguarding and equality & diversity. For some information, you may be providing your specific consent to our processing pupil/student personal data.

Depending on the purpose, our processing of your information will be due to one of the following:

- delivering a public task [Article 6(1)(e)] – the provision of education
- to meet a legal requirement [Article 6(1)(c)], such as the Education Act 1996
- for the performance of a contract [Article 6(1)(b)], for instance for our school food contract caterers
- to protect the vital interests of you or someone else [Article 6(1)(d)], for instance sharing your details with the emergency services
- informed consent given by you or your parent or legal carer [Article 6(1)(a)] (for anything which does not fit into a category above)

Special Category Personal Data
Where we process special category personal data (for example health, SEND or ethnicity information), we also rely on an appropriate condition under Article 9 UK GDPR and Schedule 1 of the Data Protection Act 2018.

Categories of pupil/student and family information
We process pupils/students and their family information in order to fulfil our duty in providing an education. Information that we process includes:

- personal details (such as name, unique learner number and address)
- characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- family details, including parents', carers' and siblings' names, contact details, emergency contacts, email addresses and National Insurance numbers*****
- admission records (including any previous schools attended)
- attendance information (such as sessions attended, number of absences and absence reasons)
- behavioural information
- relevant medical information
- any special educational needs information
- safeguarding information
- assessment/progress information
- examination details
- intervention information
- career aims
- extra-curricular and enrichment participation
- records of communications such as emails, phone messages
- photographs, CCTV data
- parent/carer's employment, social and financial situation
- post-18 destination information

(*****We request parent/carer National Insurance numbers to enable eligibility checks for Free School Meals and to apply for the correct level of government funding, including Pupil Premium, to which the school is entitled.)

Collecting student/pupil and family information
Information includes pupil/student personal data and family personal data. Where relevant pupil/student personal data is also provided by previous school (common transfer file – see below), and in some cases information is provided by the Local Authority and other support services. The majority of pupil/student information is processed as it is necessary to meet our obligations. However, some personal data is provided to us on a voluntary basis – by consent. To comply with the General Data Protection Regulation, we inform you about the collection of personal data (including through privacy notices). When personal data is being requested and not *required* we will always point this out at the time of collection/through the privacy notice so you have a choice whether to provide it.

Storing student/pupil and family data
We will store student data for no longer than necessary, in accordance with specific laws and our data retention policy. We retain a full copy of pupil/student record until their 25th birthday. If a student/pupil has an Education, Health and Care Plan their file will be retained until their 31st birthday. After these dates we will

dispose of all the records securely. In some circumstances data could be held longer if this is required for compliance with a legal obligation to which the data controller is subject.

Who do we share student/pupil and family information with?
At times we will share your personal data with other organisations and people. We will only do this when we are legally required to do so, when the law and our policies allow us to do so or when you have given your consent.

Examples of the circumstances when we share personal data with are:

- Family, associates and representatives of the person whose personal data we are processing who are authorised to receive the data
- A move to another school through the common transfer file (https://www.gov.uk/government/collections/common-transfer-file)
- Local authority including in order for them to perform their statutory duty
- Department for Education (DfE), including the collection of attendance data and for the National Pupil Database.

  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 students with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections. Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the Department for Education and provides evidence on school performance to inform research.

  For more information, please see '**How HM Government uses your data'** section at the end of this Privacy Notice – see **Appendix 1 - How HM Government uses your data**

- Education and Skills Funding Agency (ESFA)
- Joint Council for Qualifications (JCQ) and individual examination boards
- Healthcare, social and welfare agencies, including NHS coordinated health and medical services, such as hearing, eye sight tests, weight height and for the purpose of inoculations
- The student's previous school
- Law enforcement agencies to prevent or investigate a crime, Auditors and Courts
- Our suppliers and service providers ****** (see below). We take steps to check our suppliers and service providers process personal data to observe GDPR requirements.

  ****** Examples of suppliers and services used by us include:
  - Arbor, Bromcom, ESS SIMs – MIS data management systems, to enable the school to record data, create timetables etc.
  - CPOMS - to log safeguarding information as part of our statutory obligations as per the requirements 'Keeping Children safe in Education"
  - School Caterers providing school food
  - Companies providing school photographs for our MIS system
  - Companies providing payment services for parents/carers (currently Tucasi: Parent Pay) in order that parents can make electronic payments to school
  - A range of software providers for education purposes and the running of the school, such as: Seating Planning; Parents Evening Booking system; exam result / performance data software; pupil teaching, tracking and assessment software, etc.).

- Higher Education Progress Partnership South Yorkshire (HEPP/HEPPSY) – a government funded service (through Sheffield Hallam University and the University of Sheffield) which aims to increase the number and proportion of young people progressing to university and higher education from underrepresented groups. See https://www.hepp.ac.uk/about/data-and-evaluation/ .
- Youth Support Services (Over 13 years – see below), providing education, training, support and careers advice, under section 507B of the Education Act 1996

Pupils/Students aged 13+

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

Students aged 16+

We will also share certain information about students 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.

- In secondary schools, universities and potential employers where a reference is asked for - this is to help students to progress to the next stage of their education or with employment. In the case of applications to universities, if you apply to UCAS through the school (as opposed to an individual), the school is required to provide a reference. See www.ucas.com for more information regarding this.

- Otherwise, before sharing information with a third party, we will either obtain your consent or establish that the sharing is necessary (which includes ensuring that the data shared is kept to a minimum), fair and within the law. NCLT does not transfer personal data to countries outside the UK, European Economic Area or to other territories under circumstances not recognised by the Information Commissioner's Office (ICO). We will not pass your information to third parties for direct marketing purposes.

Parents or Carer's rights to access your personal data and older Students' Rights

We share some of your personal data with your parent(s) or carer(s) as we are legally required to do so, or as part of our public duty when providing you with education. These are likely to occur when providing updates about your education, or if there is a concern about your safety. We may also release personal data if your behaviour creates concern for the safety or progress of others.

In other circumstances when a parent or carer requests additional information for which we require consent for sharing or makes a subject access request the following will apply:

For pupils below Year 8 who wish to request access to their own personal data we will usually ask your parents or carer to make the request on your behalf. We will also provide your personal data to your parents or carer if they request it.

Once a pupil reaches Year 8 we will usually consider that you can make decisions about your own personal data. This means that in most cases you can request access to your personal data yourself and we will not ask your parents/carer to make the request for you unless you have indicated that you wish for your personal data to be released to your parents / carer if they request it.

We will still need to ask permission from your parents or carer for you to take part in some school and extra-curricular activities. The requirement for this permission overrides the protection of your personal data.

We are required to provide parents or carer with at least an annual report of your progress at school. However, in order to facilitate your education and ensure your parent/carer can support students/pupils, we may issue additional reports or performance data and we will offer the opportunity for parents / carer to come into school to discuss this or any concerns they have about your education with teachers and other members of staff.

Your rights to your personal data

You have rights relating to the personal data that we collect and use. The rights you have depend on the legal basis of us using the information. These are summaries below.

Legal Basis	**Right under the Law**						
	Informed	Access	Rectification	Erasure	Restriction	Portability	Objection
Consent Art.6(1)(a)	✔	✔	✔	✔	✔	✔	**Withdraw consent**
Contract Art. 6(1)b	✔	✔	✔	✔	✔	✔	✔
Legal Obligation Art.6(1)(c)	✔	✔	✔	X	✔	X	X
Vital Interest Art.6(1)(d)	✔	✔	✔	✔	✔	X	X
Public Interest Art.6(1)(e)	✔	✔	✔	X	✔	X	✔
Recognised Legitimate Interest **Art.6(1)(ea)**	✔	✔	✔	X	✔	X	X
Legitimate Interest Art.6(1)(f)	✔	✔	✔	✔	✔	X	✔
The availability of a right may depend on the circumstances of the request and any applicable exemptions under UK GDPR and the Data Protection Act 2018. In some cases, we may be able to refuse the request, continue processing, or rely on a statutory exemption.							

Automated Decision Making

We do not use automated decision making which would have legal or a similarly significant effect on an individual.

Requesting access to your personal data

Under data protection legislation students/pupils have the right to request access to information about them that we hold. To make a request for your personal information, please contact the Trust Data Protection Team by email:- data.protection@nclt.ac.uk.

Contact

Here is our Data Privacy page - https://nclt.ac.uk/data-protection-and-freedom-of-information/

If you have an enquiry or complaint about the way we are collecting or using your personal data, you should raise it with us in the first instance. You can also raise issues directly to the Information Commissioner's Office at https://ico.org.uk/make-a-complaint/data-protection-complaints/

Data Protection Officer
If you would like to raise a complaint or discuss the handling of your data by NCLT, please contact the Trust Data Protection Team. email:- data.protection@nclt.ac.uk or by calling 01977 802802.

Appendix 1 - How HM Government uses your data

The pupil/student 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 Student 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 students/pupil 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 students/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-npd-privacy-notice/national-pupil-database-npd-privacy-notice.

Sharing by the Department for Education
The law allows the Department to share students'/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 student 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.

How to find out what personal information DfE hold about you
Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if it is processing your personal data
- for a description of the data the Department holds about you
- the reasons it's 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 DfE: https://www.gov.uk/contact-dfe.