
Derby Diocesan Academy Trust

PRIVACY NOTICE FOR PUPILS AND THEIR FAMILIES

Derby Diocesan Academy Trust ('the Trust', 'we', 'us' or 'our') take data protection and our obligations with regard to data protection seriously. Under data protection law, individuals have a right to be informed about how the Trust uses any personal data held 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 will use or "process" personal data about individuals including current, past and prospective pupils ("pupils") and their parents, carers or guardians (referred to in this notice as "parents"). If you find this notice difficult to understand, you can ask your parents or another adult such as your teacher to help you understand it.

1 OUR DETAILS

We are: Derby Diocesan Academy Trust
Address: Deepdale Business Park, Ashford Road, Bakewell, DE45 1GT
Web site: www.ddat.org.uk
ICO Registration Number: ZA102461
Data Protection Officer: Hayley Wharton
Contact Email: Hayley.wharton@ddat.org.uk

2 WHO PROCESSES YOUR INFORMATION

Derby Diocesan Academy Trust is the data controller for the purposes of the Data Protection Act 2018 and the UK General Data Protection Regulation (together the "Data Protection Law") of the personal information you provide to us. This means that the Trust determines the purposes, and the manner in which, any personal data is processed.

3 WHY WE COLLECT DATA

Pupil data is essential for the operation of the Trust and its schools. Whilst the majority of personal data we are provided with or collect is mandatory, some of it is provided to us on a voluntary basis. We will inform you whether you are required to provide certain pupil information to us or if you have a choice in this. We ask parents to keep pupil information up to date through a variety of methods, including online services for parents. Parents will receive invites to register from your school and reminders to update your information regularly throughout the school year.

We collect and hold personal information relating to our pupils and parents. When a child joins us from another school, we may receive a secure file containing relevant information called a Common Transfer File (CTF) and may use registration forms at the start of the school year. We may also receive information about pupils from the Local Authority, the Department for Education (DfE) and other bodies linked to pupils' education, development and welfare. We may share personal data with other agencies as necessary under our legal duties or otherwise in accordance with our duties and obligations as a Trust.

We will collect and process personal data to:

- **Support our pupils' learning:** to help every child achieve his or her potential in all areas of learning and to promote excellence in our teaching and learning environment.
- **Monitor and report on their progress:** to record pupils' progress to help set and monitor targets and boost the achievements and aspirations of all pupils.
- **Provide appropriate pastoral care:** to ensure that all pupils are properly supported in their time with us. We will process data to help staff understand and respond to the unique circumstances of all pupils.
- **Deliver free entitlement places for two, three and four year olds:** to check and calculate free entitlement; provide funding; provide advice, support and guidance to the setting; and to enable financial and policy compliance checks.
- **Assess the quality of our services:** so that we may reflect on our own practices to help us improve and provide the highest quality education that we can to all pupils.
- **Ensure proper management of school trips and afterschool clubs and activities:** when pupils and parents participate in school trips and afterschool clubs and activities personal data will need to be processed.
- **Keep pupils safe and protect their welfare:** to protect pupils, parents and staff in their involvement at the Trust, we must process personal data relating to matters such as incidents and responses to incidents, including safeguarding concerns.
- **Meet statutory duties:** placed upon us by the government for activities such as DfE data collections.

4 **LEGAL BASIS FOR PROCESSING**

The lawful basis for us to collect/process this personal data is in order to provide education in accordance with statute law (such as the Education Act 1996, section 83 of the Children Act 1989 and other legislation), our funding agreements with the Secretary of State, our memorandum and articles of association and other guidance provided for in law.

We also process personal data where processing is necessary for the performance of tasks carried out in the public interest. It is in the public interest to provide educational services to our pupils and to offer extra-curricular activities such as reading sessions and afterschool clubs to benefit the personal and academic growth of our pupils.

In addition, personal data will be collected and/or processed for the purposes of relevant contracts for the provision of services which are paid for. This may include but is not limited to the provision of music tuition; school trips; and entering pupils for examinations.

Sometimes, we may also use your personal data where:

- You, or your parents/carers have given us permission to use it in a certain way (for example, school photographs for non-educational purposes)
- We need to protect your, or someone else's, vital interests (protect your life).

We do not process any special categories of personal data except where necessary for reasons of substantial public interest including the safeguarding of children and individuals at risk; the prevention of fraud; and preventing or detecting unlawful acts; in complying with legal obligations including under the Equality Act 2010; or where necessary to protect the vital interests of the Data Subject or of another natural person and where safeguards are in place to ensure that this personal data is kept secure.

For the avoidance of doubt where special categories of personal data are collected it shall not be used for the purposes of automated decision making and/or profiling.

Further personal data including special categories of personal data may be collected and/or processed where consent has been given (for example, school photographs for non-educational purposes). If consent is the only legal basis for processing and has been given then this may be revoked in which case the personal data will no longer collected/processed.

5 CATEGORIES OF INFORMATION WE COLLECT

We may collect and process the following types of personal data (please note this list does not include every type of personal data and may be updated from time to time):

- Personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- Characteristics (such as ethnicity, language, and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Special educational needs (including needs and ranking)
- Medical and administration (such as child health, dental health, allergies, doctor's details, medication and dietary requirements)
- Attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolment and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- CCTV images that have been captured, to keep our premises safe and secure for all users
- Biometric data (such as fingerprints to receive school dinners instead of paying with cash).

We have CCTV and camera recordings on site for security purposes (please refer to our separate 'Privacy Notice CCTV'). In addition, external calls to and from some school switchboards within the Trust are automatically recorded. Where this takes place, the caller is notified. Recordings are only accessed for crime prevention, security or training purposes, or in the event of a safeguarding concern or complaint.

In certain circumstances, we may also process personal data about pupils, some of which might be sensitive personal data, including information about criminal proceedings or convictions; or information relating to child protection and safeguarding. This information is not routinely collected about pupils and is only likely to be processed by the Trust in specific circumstances relating to particular pupils, for example, if a child protection issue arises or if a pupil is involved in a criminal matter. Where appropriate, such information may be shared with external agencies including the

child protection team at the Local Authority; the Local Authority Designated Officer; or the Police. Such information will only be processed to the extent that it is lawful to do so.

6 BIOMETRIC RECOGNITION SYSTEMS

Where pupils' biometric data is used as part of an automated biometric recognition system (for example, the use of fingerprints to receive school dinners instead of paying with cash), the Trust will comply with the requirements of the Protection of Freedoms Act 2012. Parents or carers will be notified before any biometric recognition system is put in place or before their child first takes part in it. Schools will request written consent from at least 1 parent or carer before any biometric data is obtained from their child and first process it.

Parents, carers or pupils have the right to choose not to use biometric systems. Schools will provide alternative means of accessing the relevant services for those pupils. Consent can be withdrawn at any time and any relevant data already captured will be deleted. As required by law, if a pupil refuses to participate in, or continues to participate in, the processing of their biometric data, their data will not be processed irrespective of any consent given by the pupil's parents or carers.

Where staff members or other adults use the school's biometric systems, their consent will be requested before they first take part in it, and alternative means of accessing the relevant service provided if they object. Staff and other adults can also withdraw consent at any time, and any relevant data already captured will be deleted.

7 WHO WILL HAVE ACCESS TO YOUR DATA

Personal information will be accessible by members of staff. Where necessary, volunteers, trustees/ directors and governors will also have access to personal information. We do not share personal information about you with anyone 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 pupil information with:

- The Local Authority to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions. We will also share data with the Local Authority to support teaching and learning, including the voluntary collection of teacher assessments from primary schools/academies.

We share data with the Local Authority to improve the primary to secondary transition process (please refer to the separate privacy notice available at www.ddat.org.uk/GDPR 'DDAT Privacy Notice - Primary to Secondary Transition Portal') and to support the secondary to post-16 transition process (please refer to the separate privacy notice available at www.ddat.org.uk/GDPR 'DDAT Privacy Notice - Secondary to Post-16 Transition Portal')

- The Department for Education (DfE) in relation to school funding / expenditure and the assessment of educational attainment in order to comply with our legal obligations as set out by acts of Parliament and associated legislation and guidance
- Health and social welfare organisations to protect the rights, property, or safety of the Trust, the school, other pupils or individuals. This may include 'Stopping Domestic Abuse Together' a multi-agency initiative operated by Derby & Derbyshire Safeguarding Children Partnership
- Health authorities such as the School Nurse and other medical professionals

- Police forces, courts, tribunals and security organisations to meet our legal duties to share certain information, such as concerns about safety, safeguarding and to look after pupil wellbeing
- Schools, other education providers or early years settings that pupils attend after leaving us in order to aid their transition or to pass on information needed to look after the pupil
- Educators and examining bodies
- Regulators, such as Ofsted
- The pupil's family and representatives
- An independent reviewer where a complaint has been made by a parent
- Professional advisors and consultants so that they can provide the services we have contracted them for in order to provide pupils with an education, including SEN support
- Youth support and Careers guidance services (pupils aged 13+)
- Charities and voluntary organisations in support of pupils' needs
- School meal providers where relevant allergy information is vital (usually primary settings only)
- Suppliers, service providers and educational software providers in support of teaching and learning to enable them to provide the service we have contracted them for (such as school caterers, sports coaches, parent communication facilities, online learning platforms)
- Providers of the Trust's software systems (such as information management, data analytic and safeguarding systems).

This list is not exhaustive. Third party suppliers will process data on our behalf. We investigate these third party suppliers to ensure their compliance with relevant data protection laws and specify their obligations in written contracts.

8 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 the Local Authority for the purpose of those data collections, under Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All information we share with the DfE is transferred securely and held by the 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 at the end of this notice. This section includes details on the **National Pupil Database (NPD)** and **Learning Records Service (LRS)**.

9 YOUTH SUPPORT SERVICES

Once our pupils reach the age of 13, we also pass pupil information to the Local Authority and/or provider of youth support services because they have responsibilities in relation to the education or training of 13 to 19-year-olds under section 507B of the Education Act 1996.

Sharing this information allows them to provide the following services:

- Youth support services
- Careers advisers
- Post-16 education and training providers.

The information we share is limited to the pupil's name, address and date of birth; however, where a parent has provided their consent, other relevant information will be shared. This right to consent is transferred to pupils once they reach 16-years-old.

10 HOW DATA WILL BE PROCESSED

Personal data may be processed in a variety of ways; this will include but is not limited to:

- Maintaining written records for educational or employment purposes
- Medical or allergy information displays
- Identification
- Sending by e-mail
- Adding to spreadsheets, word documents or similar for the purposes of assessing personal data
- For educational software use (this could be for the purposes of helping children learn, discipline, reports and other educational purposes).

11 WHERE WE STORE DATA AND HOW WE KEEP DATA SECURE

Paper copies of personal data are kept securely at the Trust and its schools; for example, in secure filing cabinets. Electronic copies of personal data are kept securely, and information will only be processed where we are satisfied that it is reasonably secure.

All information you provide to us is stored on secure servers. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our website, you are responsible for keeping this password confidential. You must not share your password with anyone.

When giving personal data to third parties (for example, software providers) it is possible that this personal data could be stored in a location outside of the UK. We will take all steps reasonably necessary to ensure that your personal data is treated securely and in accordance with this privacy notice. In particular, any transfer of your personal data and/or special category personal data made by us to a location outside of the UK that does not provide adequate protection will be governed by clauses in a written contract in order to keep these secure.

12 RETENTION PERIODS

We will only retain personal data for as long as is necessary to achieve the purposes for which they were originally collected. As a general rule, personal data will be kept for the entire period that a child is a pupil at the Trust. Other records (for example, safeguarding or in relation to special educational needs) will be kept for longer in accordance with guidance from the Information and Records Management Society. Further information on retention periods can be obtained by contacting us via the details in Section 1 of this Notice. Once the retention period concludes the data is securely and safely destroyed or deleted.

13 YOUR DATA RIGHTS

The UK General Data Protection Regulation and associated law gives you rights in relation to personal data held about you and your child. These are:

- **Right to be informed:** you have the right to be informed about the collection and use of your data. This notice contains information in relation to the collection of your personal data, however, if we collect additional data for other purposes, we will inform you about this.
- **Right of Access:** if your personal data is held by the Trust, you are entitled to access your personal data (unless an exception applies) by submitting a written request. We will aim respond to that request within one month. If responding to your request will take longer than a month, or we consider that an exception applies, then we will let you know.
- **Right of Rectification:** you have the right to require us to rectify any inaccurate personal data we hold about you. You also have the right to have incomplete personal data we hold about you completed. If you have any concerns about the accuracy of personal data that we hold then please contact us.
- **Right to Restriction:** you have the right to restrict the manner in which we can process personal data where:
 - the accuracy of the personal data is being contested by you;
 - the processing of your personal data is unlawful, but you do not want the relevant personal data to be erased; or
 - we no longer need to process your personal data for the agreed purposes, but you want to preserve your personal data for the establishment, exercise or defence of legal claims.

Where any exercise by you of your right to restriction determines that our processing of particular personal data are to be restricted, we will then only process the relevant personal data in accordance with your consent and, in addition, for storage purposes and for the purpose of legal claims.

- **Right to Erasure:** you have the right to require we erase your personal data which we are processing where one of the following grounds applies:
 - the processing is no longer necessary in relation to the purposes for which your personal data were collected or otherwise processed;
 - our processing of your personal data is based on your consent, you have subsequently withdrawn that consent and there is no other legal ground we can use to process your personal data;
 - the personal data have been unlawfully processed; and
 - the erasure is required for compliance with a law to which we are subject.
- **Right to Data Portability:** you have the right to receive your personal data in a format that can be transferred. We will normally supply personal data in the form of e-mails or other mainstream software files. If you want to receive your personal data which you have provided to us in a structured, commonly used and machine-readable format, please contact us via the details in Section 1 of this Notice.
- **Right to object:** you have the right to object to the processing of your personal data where one of the following grounds apply:
 - the processing is based on legitimate interests or the performance of a task in the public interest;

- the processing is for direct marketing; or
- the processing is for the purposes of scientific/ historical research and statistics.

You can find out more about the way these rights work from the website of the Information Commissioner's Office (ICO).

14 REQUESTING YOUR DATA

Where the Trust holds personal data concerning you, you are entitled to access that personal data and the following information (unless an exception applies):

- A copy of the personal data we hold concerning you, provided by the Trust
- Details of why we hold that personal data
- Details of the categories of that personal data
- Details of the envisaged period for which that personal data will be stored, if possible
- Information as to the source of personal data where that personal data was not collected from you personally.

If you want to receive a copy of the information about your son/daughter that we hold, please contact us via the details in Section 1 of this Notice.

15 MAKING A COMPLAINT

If you are unhappy with the way we have dealt with any of your concerns, you can make a complaint to the ICO, the supervisory authority for data protection issues in England and Wales. We would recommend that you complain to us in the first instance, but if you wish to contact the ICO on the details you can do so on the details below. The ICO is a wholly independent regulator established in order to enforce data protection law.

ICO Concerns website: www.ico.org.uk/concerns

ICO Helpline: 0303 123 1113

ICO Email: casework@ico.org.uk

ICO Postal Address: Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

16 CHANGES TO THIS NOTICE

Any changes we make to this notice in the future will be posted on our website and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes.

This privacy notice was last updated on 23rd November 2022.

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 (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 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/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're 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

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- 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>.

Learning Records Service (LRS)

The information you supply is used by the Learning Records Service (LRS). The LRS issues Unique Learner Numbers (ULN) and creates Personal Learning records across England, Wales and Northern Ireland, and is operated by the Education and Skills Funding Agency, an executive agency of the Department for Education (DfE). For more information about how your information is processed, and to access your Personal Learning Record, please refer to: <https://www.gov.uk/government/publications/lrs-privacy-notice>.

LRS collects information about learners registering for relevant post-14 qualifications, for example:

- GCSEs and A-Levels
- Entry to Employment Certificates
- Regulated Qualifications Frameworks
- Welsh Baccalaureate and associated units

The LRS uses your information to:

- issue you with a Unique Learner Number (ULN)
- create your Personal Learning Record (PLR)

The ULN enables education and training sector organisations, and Awarding Organisations regulated by Ofqual in England, Qualifications in Wales (QiW) in Wales and CCEA in Northern Ireland, to share information about participation and achievement in a consistent and approved manner, promoting good information management practice, and helping to improve accuracy and efficiency. It benefits you through enhancing the application processes to Awarding Organisations, learning providers, learning advisors and other third parties.

The PLR stores your education and training participation and achievement information collected directly from educational institutions and other bodies.