Batley Multi Academy Trust

# Privacy Notice - Learners

You have the legal right to be informed about how Batley Multi Academy Trust ("the Trust") uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This notice explains how we collect, store and use personal data about you.

Batley Multi Academy Trust ("the Trust") whose registered address is; Batley Multi Academy Trust, % Upper Batley High School, Blenheim Drive, Batley, WF17 0BJ is the 'data controller' for the purposes of UK data protection law.

Our Data Protection Officer is Laura Bland (see 'Contact us' below).

## The personal data we hold

We hold some personal information about you to make sure we can help you learn and make sure you're safe whilst at school.

For the same reasons, we get information about you from some other places too – like other schools, the local council and the Government.

This information includes:

- Your contact details, contact preferences, DOB, ID documents.
- Emergency contact details.
- Unique pupil number and school admission number (where applicable).
- Your test and exam results.
- Your attendance records and details of behaviour information.
- First language.
- Entitlement to free school meals.
- Pupil Premium indicator.
- Safeguarding information.
- NHS number.
- Details of any support received, including care packages, plans and support providers.
- For learners enrolling for post-14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.
- Post-16 learning information (where applicable).

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Your characteristics, like your ethnicity, sex, religious beliefs.
- Any special educational needs.
- Any medical conditions you have, such as allergies and dietary requirements as well as your doctor's contact details.
- Photographs and videos.
- Biometric data (where applicable).
- CCTV recordings (school dependent, these may be visual and audio)

**Why we use this data**

We use this data to:

- Get in touch with you and an adult(s) with parental responsibility when we need to.
- Check how you're doing in exams and work out whether you or your teachers need any extra help.
- Track how well your school (as a whole) is performing.
- Support your learning.
- Look after your wellbeing.
- Carry out research.
- Assess the quality of our services.
- Comply with the law.
- Administer the admissions waiting list.
- Provide a service.

**Use of your personal data in automated decision making and profiling**

Your personal and sensitive data is captured for the use of cashless catering across three of our Trust schools (Batley Grammar School, Batley Girls' High School and Upper Batley High School). It is used to process payment linked to your account with the catering service. Use of this data is considered automated and profiling.

**Our legal basis for using this data**

We will only collect and use your information when the law allows us to. Most often, we will use your information when:

- We need to comply with the law.
- We need to use it to carry out a task in the public interest (in order to provide you with a good education).

Sometimes, we may also use your personal information when:

- You, or an adult(s) with parental responsibility have given us permission to use it in a certain way.
- We need to protect your interests (or someone else's interest).

Where we have sought consent (permission) to use your data, you or an adult(s) with parental responsibility may withdraw this at any time. We will make this clear at the time of asking for consent, and explain how to go about withdrawing it.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

**Our basis for using special category data**

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your information in a certain way.
- We need to use your information under employment, social security or social protection law.

- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent.
- The information has already been made obviously public by you.
- We need to use it to make or defend against legal claim(s).
- We need to use it for reasons of substantial public interest as defined in legislation.
- We need to use it for health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law.
- We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law.
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way.
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent.
- The data concerned has already been made obviously public by you.
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims.
- We need to use it for reasons of substantial public interest as defined in legislation.

**Collecting this information**

While most of the information we collect about you is mandatory, there is some information that can be provided voluntarily. Whenever we want to collect information from you, we make it clear if you have to give us this information (and if so, what the possible consequences are of not doing that), or if you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government department or agencies
- Police forces, courts, tribunals
- Other educational establishments

**How we store this data**

We will keep personal information about you whilst you are a learner at our school. We may also keep it after you have left school, where we are required to by law.

We also hold some data on servers (for e.g. biometric data linked to cashless catering). This data is encrypted using the highest standard (AES 256).

**Data sharing**

We **do not** share personal information about you with anyone outside the school without permission from you or the adult(s) with parental responsibility, unless the law and our policies allow us to do so.

Where it is legally required, or necessary for another reason allowed under UK data protection law, we may share personal information about you with:

- Our local authority, Kirklees Council.
- Government departments or agencies for e.g. the Department for Education - DfE
- Our regulator, Ofsted.
- Board of Trustees and Governors.
- Members of the Trust staff.
- NHS (school nursing service).
- Police and other law enforcement agencies.
- Health and social welfare organisations.
- Central and local government.
- Other schools (during common pupil transfer).
- Youth Support Services (learners aged 13+ and 16+).
- Your family and legal representatives.
- Educators and examining bodies.
- Third party data processors - suppliers and service providers for e.g. our Catering company.
- Survey and research organisations.
- Security organisations.
- Professional advisors and consultants.
- Charities and voluntary organisations.
- Professional bodies.

**How Government uses your data**

The learner 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 Learner Progress measures).
- Support 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school).

**National Pupil Database**

We are required to provide information about you to the Department for Education (a Government department) as part of data collections such as the school census and where applicable the Early Years Census.

Some of this information is then stored in the National Pupil Database, which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

The Department for Education may share information from the database with other organisations which promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use your data.

You can find more information about this on the Department for Education's webpage on how it collects and shares research data.

You can also contact the Department for Education if you have any questions about the database.

**Transferring data internationally**

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

**Your rights**

**How to access personal information we hold about you**

You can find out if we hold any personal information about you, and how we use it, by making a 'subject access request', as long as we judge that you can properly understand your rights and what they mean.

If we do hold information about you, upon request, we will (unless there's a really good reason why we shouldn't):

- Give you a description of the data.
- Tell you why we are holding and using it, and how long we will keep the information for.
- Explain where we got it from, if not from you or the adult(s) with parental responsibility.
- Tell you who the information has been, or will be, shared with.
- Let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person).
- Give you a copy of the information.

You may also ask us to send your personal information to another organisation electronically in certain circumstances.

If you want to make a request, please contact our Data Protection Officer.

**Your other rights over your data**

You have other rights over how your personal data is used and kept safe, including the right to:

- Say that you don't want it to be used.
- Say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person).
- In some cases, have it corrected if it's inaccurate.
- In some cases, have it deleted or destroyed, or restrict its use.
- Withdraw your consent, where you previously provided it for the collected, processed and transferred for a specific purpose.
- In some cases, be notified of a data breach.
- Make a complaint to the Information Commissioner's Office.
- Claim compensation in the data protection rules are broken and this harms you in some way.

**Complaints**

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by first contacting our Data Protection Officer.

You can also complain to the Information Commissioner's Office in one of the following ways:

- 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 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, Laura Bland, via email on dpo@batleymat.co.uk.