Privacy notice for pupils

1. Introduction

You have a legal right to be informed about how our school and the Trust use 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 pupils at our school, like you.

The Chiltern Learning Trust is the 'data controller' for the purposes of UK data protection law.

The data protection officer for the Chiltern Learning Trust is Mr P Aikman and the data protection lead at Kempston Academy is Victoria Clayton (see 'Contact us' below).

2. The personal data we hold

We hold some personal information about you to make sure we can help you learn and look after you 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.

Personal information that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Your contact details, contact preferences, date of birth, identification documents
- Your results of internal assessments and externally set tests
- Pupil and curricular records
- Exclusion information
- Attendance information
- Safeguarding information
- Behaviour information
- Details of any support received, including care packages, plans and support providers
- Information about your use of our information and communication systems, equipment and facilities (e.g. school computers)

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 ethnic background, entitlement to free school meals or any special educational needs
- Information about any medical conditions you have
- Photographs
- CCTV images
- Biometric data (if permission is given)

We may also hold data about you that we have received from other organisations, including other schools and local authorities.

3. Why we use this data

We use the data listed above to:

a) Get in touch with you and your parents when we need to

b) Check how you're doing in exams and work out whether you or your teachers need any extra help

c) Track how well the school as a whole is performing

d) Look after your wellbeing

e) Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely

f) Answer your questions and complaints

g) Publish statistics, for example, about the number of pupils or learners in schools

h) Meet legal requirements placed upon us

We will only use your personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for any other reason and that reason is incompatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and explain the legal basis that allows us to do so.

Please note that we may process your personal information without your knowledge or consent in compliance with the above rules where this is required or permitted by law.

3.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you messages by email or text promoting school events, campaigns, charitable causes or services that you might be interested in.

You can take back this consent or 'opt out' of receiving these emails and/or texts at any time by contacting us (see 'Contact us' below).

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

We don't currently put your personal information through any automated decision making or profiling process. This means we don't make decisions about you using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

3.3 Use of your personal data for filtering and monitoring purposes

While you're in our school, we may monitor what material you access on our computers and other IT and communication systems. We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies (e.g. child protection policy, ICT and internet acceptable use policy) and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s) ● Protect your welfare

4. Our lawful basis for using this data

We will only collect and use your information when the law allows us to. We need to establish a 'lawful basis' to do this.

Our lawful bases for processing your personal information for the reasons listed in section 3 above are:

- For the purposes of a), b), c) and d), in accordance with the 'public task' basis – we need to process data to perform tasks that schools are required to as part of their statutory function
- For the purpose of f), in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under UK law.

Where you've provided us with consent to use your information, you may take back this consent at any time. We'll make this clear when requesting your consent, and explain how you'd go about withdrawing consent if you want to.

4.1 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 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 claims
- 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 UK 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

5. Collecting this data

We will only collect and use your personal information when the law allows us to, as detailed above in section 4 of this notice. While most of the information we collect about you is mandatory (i.e. you have to give us the information), there is some information that you can choose whether or not to provide to us.

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 councils
- Government departments or agencies
- Police forces, courts, tribunals
- Previous schools

6. How we store this data

We keep personal information about you while you're attending our school. We may also keep it beyond your attendance at our school if this is necessary. Our data retention schedule sets out how long we must keep information about pupils for. A copy of this schedule can be found at www.chilternlearningtrust.org under 'policies'.

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We'll dispose of your personal data securely when we no longer need it.

7. Who we share data with

We don't share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it's legally required, or necessary (and it complies with UK data protection law), we may share personal information about you with:

- Government departments or agencies and/or our local authority (Department for Education and local council department) – to meet our legal obligations to share certain information, such as safeguarding concerns and information about exclusions
- Our local authority, Bedford Borough Council – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Your family and representatives – to provide reports on your progress
- Educators and examining bodies – to enter you for exams
- Our youth support services provider
- Our regulator, Ofsted – to ensure the school is providing a good education
- Health authorities
- Health and social welfare organisations

- Catering Company
- Financial organisations
- Our auditors
- Survey and research organisations
- Security organisations who have access to CCTV footage for security reasons
- Police forces, courts, tribunals

- Third parties for the supply of services for teaching and learning, safeguarding, behaviour, assessment and the recording of progress and achievement, and for pupils to be able to access software for homework, revision, work experience, careers (for secondary schools) and emails.
- Further education provider/next school – to meet our legal obligation to share pupil data

National Pupil Database

We have to provide information about you to the Department for Education (a government department) as part of data collections such as the school 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, such as organisations that 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.

7.1 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.

8. Your rights

8.1 How to access personal information we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

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

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data (decisions made by a computer or machine, rather than by a person), and any consequences of this
- Give you a copy of the information in an understandable form

You may also have the right for your personal information to be shared with another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

We are required to provide information within 1 month of the request in normal circumstances. We will endeavour to complete the request in a timely manner, but may find it more difficult to respond during the summer holidays or if the request is complex. If this is the case we will inform you within the month if we require an extension to provide all the data required.

8.2 Your other rights regarding your data

Under UK data protection law, you have certain rights regarding how your personal information is used and kept safe. For example, you have the right to:

- Say that you don't want your personal information to be used
- Stop it being used to send you marketing materials
- Say that you don't want it to be used for 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 consent for your personal information to be collected, processed and transferred for a particular reason
- In some cases, be notified of a data breach
- Make a complaint to the Information Commissioner's Office if you feel we have not used your information in the right way
- Claim compensation if the data protection rules are broken and this harms you in some way

To exercise any of these rights, please contact us (see 'Contact us' below).

9. 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 concerns about our data processing, please let us know first.

Alternatively, you can make a complaint 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

10. Contact us

The **data protection officer** is Mr P Aikman, Chiltern Learning Trust, c/o 1 Redgrave Children & |Young Peoples, Centre, Redgrave Gardens, Luton, LU3 3QN Tel: 01582 550950, email: dpo@chilternlearningtrust.org

However, our **data protection lead** has day-to-day responsibility for data protection issues in our school. If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them:

- Victoria Clayton - vclayton@kempstonacademy.co.uk