

Privacy Notice (How we use pupil information)

This privacy notice is written for both pupils and their parents/carers at the Tame River Education Trust (TRET) and explains how we collect, store and use personal data about our pupils and their parents/carers.

Under data protection law, individuals have a right to be informed about how the 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.

We, Tame River Education Trust, are the 'data controller' for the purposes of data protection law.

The categories of pupil information that we process include:

- 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 the needs and ranking)
- medical and administration (such as doctor's 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)
- assessment and attainment (such as phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- CCTV images captured in school
- Telephone call recordings
- Catering information such as food/drinks purchased

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

This list is not exhaustive, to access the current list of categories of information we process, please see [contact the Trust's Data Protection Officer](#).

Why we collect and use pupil information

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us for the Department for Education (DfE) data collections



Under the UK Data Protection Act 2018, the lawful bases we rely on for processing pupil information are:

1. Public Task (Article 6(1)(e) UK GDPR)

- Schools are public authorities and carry out tasks in the public interest, such as:
 - Delivering education
 - Safeguarding children
 - Monitoring attendance and performance
- This basis applies when processing is **necessary** for the school to perform its official functions.

2. Legal Obligation (Article 6(1)(c) UK GDPR)

- Schools are required by law to collect and share certain data, for example:
 - Submitting census data to the Department for Education (DfE)
 - Complying with safeguarding duties
 - Providing information to exam boards

Collecting pupil information

Typically, we collect pupil information via **registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from previous schools.**

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.

Telephone Call Recording

Incoming and outgoing telephone calls may be recorded for calls made to our academies. The academy has a legitimate interest in recording telephone conversations, unless those interests are overridden by you by asking for your call not to be recorded. Call recordings will be used:

- To investigate and resolve a complaint
- To help protect staff from aggressive, abusive or nuisance calls
- For the detection, investigation and prevention of crime (including fraud)
- Identify staff training needs and to support effective training

Anyone who calls our academies will hear a pre-recorded message informing them that calls are being recorded.

Routine telephone conversations will not be kept for longer than 180 days. However, on occasions there may be a need to keep recordings for longer, for example when further investigation is required into the matter being raised or where there has been behaviour that is abusive, offensive, threatening or has caused distress or alarm to the academy or its employees.



Use of Artificial Intelligence (A.I.)

We use Artificial Intelligence (AI) systems to support certain processes involving personal data. These systems may assist with tasks such as data analysis, risk assessment or personalised communication.

The AI systems we use are designed to operate fairly and transparently. Where AI is used to make decisions that significantly affect individuals, we ensure that:

- You are informed about the use of AI;
- You have the right to request human intervention;
- You can express your point of view and contest the decision.

We only use AI systems where we have a lawful basis under the UK GDPR. This may include:

- **Public task** – where processing is necessary for official functions;
- **Legal obligation** – where required by law;
- **Legitimate interests** – where processing is necessary for our business purposes and does not override your rights.

We conduct Data Protection Impact Assessments (DPIAs) to assess and mitigate risks associated with AI processing. We also ensure that appropriate safeguards are in place to protect your data and rights.

If you would like more information about how we use AI, or to exercise your rights, please contact the Data Protection Officer.

Storing pupil 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 contact our Data Protection officer.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- youth support services (pupils aged 13+)
- the Department for Education (DfE)
- Educators and examining bodies
- Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Our Auditors
- Survey and research organisations (only when required to do so by law unless consent sought)
- Health authorities



- Security organisations
- Professional advisers and consultants
- Police forces, courts and tribunals
- Professional bodies

National Pupil Database

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census.

For further information please see:

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

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

You can also contact the Department for Education with any further questions about the NPD

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

Youth support services

Pupils aged 13+

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.



Department for Education (DfE)

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:

Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (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.

For privacy information on the data the Department for Education collects and uses, please see :

<https://www.gov.uk/government/publications/privacy-information-early-years-foundation-stage-to-key-stage-3>

and

<https://www.gov.uk/government/publications/privacy-information-key-stage-4-and-5-and-adult-education>

Requesting access to your personal data

The UK GDPR gives parents and pupils certain rights about how their information is collected and used. To make a request for your personal information, or be given access to your child's educational record, please contact the Trust's Data Protection Officer at mfallows@tret.org.uk

You also have the following rights:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'.
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request.
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- the right to ask us to delete your personal information – this is called 'right to erasure'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'.
- the 'right to object to processing' of your information, in certain circumstances
- rights in relation to automated decision making and profiling.
- the right to withdraw consent at any time (where relevant).
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way.



There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at [raise a concern with ICO](#).

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know.

Contact

If you would like to discuss anything in this privacy notice, please contact: **Mick Fallows, Director Data & Data Protection** at mfallows@tret.org.uk

How Government uses your data

The pupil data that we lawfully share with the Department for Education (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 (DfE) (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Sharing by the Department for Education (DfE)

DfE will only share pupils' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, the law allows the Department for Education (DfE) 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 for Education's (DfE) 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 the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) 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 the Department for Education (DfE) holds about you

Under the terms of the UK GDPR, you are entitled to ask the Department for Education (DfE):

- 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

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. See the guide for details:

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

Further information on what personal information the Department for Education (DfE) holds about you published in the privacy notices for early years foundation stage to key stage 3, and key stage 4 and 5 and adult education. These are available below:

<https://www.gov.uk/government/publications/privacy-information-early-years-foundation-stage-to-key-stage-3>

<https://www.gov.uk/government/publications/privacy-information-key-stage-4-and-5-and-adult-education>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>

