

ALBANY LEARNING TRUST

Privacy Notice

How we use student information

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' to individuals where we are processing their personal data.

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

We, Albany Learning Trust, (Bolton Road, Chorley, Lancashire, PR7 3AY) are the 'data controller' for the purposes of data protection law.

The school's Data Protection Officer is Gill Smith.

The personal data we hold

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

- Contact details, contact preferences, date of birth, identification documents
- Assessment information including results of internal assessments and externally set tests
- Student and curricular records including unique student number
- Characteristics, such as ethnic background, nationality, country of birth, eligibility for free school meals, or special educational needs and disability
- Details of any medical conditions, including physical and mental health
- Attendance information (eg. sessions attended, number of absences and absence reasons)
- Safeguarding information
- Behaviour and Exclusion information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in the school grounds

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

Where do we get your personal data from?

We obtain your personal data directly from you, by way of information gathering exercises at appropriate times such as when your child joins the school and on our annual data collection form. We may also obtain information about you from other sources. This might include information from the local authority or other professionals or bodies, including a Court, which may raise concerns in relation to your child.

Why we use this data

We use this data to:

- Support student learning
- Monitor and report on student progress
- Provide appropriate pastoral care
- Protect student welfare and safeguarding
- Assess the quality of our services
- Administer admissions waiting lists
- Comply with the law regarding data sharing
- Promote the academy

Our legal basis for using this data

We only collect and use students' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process students' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use students' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using students' personal data overlap, and there may be several grounds which justify our use of this data.

Collecting this information

Whilst the majority of student information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation (GDPR), we will inform you whether you are required to provide certain student information to us or if you have a choice in this.

How we store this data

We keep personal information about students while they are attending our Schools/Academies. We may also keep it beyond their attendance at our Schools/Academies if this is necessary in order to comply with our legal obligations. We hold student data until the student reaches the age of 25 years old. If a student moves to another school their personal data will be transferred to that establishment.

Our Data Protection, Information Management and Retention Policy sets out how long we keep information about students. This policy can be found on our website, or a printed copy is available on request from the School Office.

Data sharing

We do not share information about our students 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 personal information about students with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- Schools, colleges or universities that the student may attend after leaving us
- School councillors and social workers
- Youth Support services
- Careers Advisors
- The student's family and representatives
- OfSTED
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Survey and research organisations
- Health authorities/school nurse
- Police forces, courts, tribunals
- Professional bodies

National Student Database

We do not share information about our students with anyone without consent unless the law and our policies allow us to do so.

We share students' data with the DfE and / or ESFA on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our students with the DfE under regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013.

To find out more about the data collection requirements placed on us by the DfE (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Some of this information is then stored in the [National Student Database](#) (NPD). The NPD is owned and managed by the Department for Education and contains information about students 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 student information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-student-database-user-guide-and-supporting-information>.

The DfE may share information about our students from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The DfE has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to student information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the DfE's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the DfE has provided student information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-student-database-requests-received>

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

Youth support services

Students aged 13+

Once our students reach the age of 13, we also pass student 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

A parent or guardian can request that **only** their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / student once he/she reaches the age 16.

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Parents and students' rights regarding personal data

How to access personal information we hold about you

Individuals have a right to make a '**Subject Access Request**' to gain access to personal information that the school holds about them.

If you make a Subject Access Request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing 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, and any consequences of this
- Give you a copy of the information in an intelligible form

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

If you would like to make a request, please contact our Data Protection Officer or Miss Linda Burrows (contact details below). Further details and a Subject Access Request form are on the Albany Learning Trust website. You are entitled to submit Subject Access Requests all year round, but please bear in mind that it may be necessary for us to extend the response period when requests are submitted over the summer holidays. This is in accordance with article 12(3) of the GDPR, and will be the case where the request is complex – for example, where we need multiple staff to collect the data.

Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

Legal Basis

The lawful bases for processing are set out in Article 6 of the GDPR. At least one of these must apply whenever you process personal data:

- a) Consent: the individual has given clear consent for you to process their personal data for a specific purpose.
- b) Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- c) Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations).
- d) Vital interests: the processing is necessary to protect someone's life.
- e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- f) Legitimate interests: the processing is necessary for your legitimate interests or the legitimate interests of a

third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)

Special Category Data

GDPR identifies that some information is particularly sensitive and therefore needs extra protection:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Health
- Sexual life or orientation
- Genetic data (e.g. blood samples DNA)
- Biometric data to identify an individual (e.g. finger-prints, iris recognition)
- Financial information

Special Category Conditions

Article 9 of sets out the special category conditions. If you are processing special category data you need to meet a special category condition in addition to the legal basis identified above:

- The data subject has given explicit consent
- Necessary to protect the vital interests where the data subject is physically or legally incapable of giving consent
- The data has been made publically available by the data subject
- Processing is carried out by a foundation or not-for-profit body in the course of its legitimate activities
- Necessary to process legal claims
- Necessary for archiving statistical or historical research which is in the public interest
- Necessary for reasons of substantial public interest on the basis of UK law which shall be proportionate to the aim pursued

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 concern about our data processing, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office:

- 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**.

Contact details

Data Protection Officer
Mrs Gill Smith
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Miss Linda Burrows
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