

Privacy Notice for Adult(s) with Parental Responsibility **- use of your child's personal data**

Under UK data protection law, individuals have the right to be informed about how the schools in Batley Multi Academy Trust ("the Trust") use 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.

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

This privacy notice applies where we believe your child is not capable of understanding and exercising their own data protection rights. Once your child is able to understand their rights over their own data (generally considered to be age 12, but this is considered on a case-by-case basis), you should instead refer to our privacy notice for learners.

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

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

- Contact details, contact preferences, DOB, ID documents.
- Emergency contact details.
- Unique pupil number and school admission number (where applicable).
- Results of internal assessments and externally set tests.
- Learner curricular records.
- Attendance records and behaviour information.
- NHS number.
- First language.
- Eligibility for free school meals.
- Pupil Premium indicator.
- Safeguarding information (such as court orders and professional involvement).
- Details of any support received, including care packages, plans and support providers.
- Those enrolling for post-14 qualifications, the Learning Records Service will give us the unique student number (ULN) and may also give us details about their learning or qualifications.
- Post-16 learning information (where applicable).

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

- Characteristics, such as ethnicity, sex, religious beliefs.
- Any special educational needs (including the needs and rankings).

- Details of any medical conditions, such as allergies and dietary requirements as well as doctor's contact details.
- Photographs and videos.
- Biometric data (where applicable).
- CCTV images captured in school (school dependent, these may be visual and audio).

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

Why we use this data

We use this data to:

- Support your child's learning.
- Monitor and report on learner progress and attainment.
- Provide appropriate pastoral care.
- Protect learner welfare.
- Provide a service.
- Assess the quality of our services.
- Administer admissions waiting lists.
- Carry out research.
- Comply with the law regarding data sharing.

Use of your child's personal data in automated decision making and profiling

Your child's 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 their account with the catering service. Use of this data is considered automated and profiling.

Our legal basis for using this data

We only collect and use your child's 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 your child's 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 your child's 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 your child's personal data overlap, and there may be several grounds which justify our use of this data.

Our basis for using special category data

For 'special category' data, 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 child's personal data in a certain way.
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law.
- We need to protect an individual's vital interests (i.e. protect your child's 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 manifestly public by you.
- We need to process it for the establishment, exercise or defence of legal claims.
- We need to process it for reasons of substantial public interest as defined in legislation.
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law.
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing 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 child's 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 manifestly public by you.
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights.
- We need to process it for reasons of substantial public interest as defined in legislation.

Collecting this information

While the majority of information we collect about your child is mandatory, there is some information that can be provided voluntarily. Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

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

- Local authorities

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

How we store this data

We keep personal information about your child while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations.

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

Data sharing

We **do not** share information about your child with any third party without consent unless the law and our policies allow us to do so.

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

- Our local authority, Kirklees Council.
- Government departments or agencies for e.g. the Department for Education - DfE
- Our regulator, Ofsted.
- Our 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+).
- 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 a young person's 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 learners to the Department for Education as part of statutory 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 (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.

For more information, see the Department's web page on how it collects and shares research data.

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

Transferring data internationally

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

Adult(s) with parental responsibility and learners' rights regarding personal data

Individuals have a right to make a 'subject access request' to gain access to personal information that the Trust holds about them.

The adult(s) with parental responsibility can make a request with respect to their child's data where their child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

If you make a subject access request, and if we do hold information about you or your child, upon request, we will (subject to any exemptions that apply):

- Give you a description of the information.
- Tell you why we are holding and processing it, and how long we will keep the information for.
- Explain where we got it from, if not from you or your child.
- Tell you who the information has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any potential consequences.
- Give you a copy of the information in an intelligible form.

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

Once your child is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), we will need to obtain consent from your child for you to make a subject access request on their behalf.

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

Other rights

Under UK 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 personal data being used for direct marketing.
- Object to and challenge decisions being taken by automated means (by a computer or machine, rather than by a person).
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about your child deleted or destroyed, or restrict its processing.
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your child's personal data for a specific purpose.
- In certain circumstances, be notified of a data breach.
- Make a complaint to the Information Commissioner's Office.
- Claim compensation for damages caused by a breach of the data protection regulations.

Once your child is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), we will need to obtain consent from your child for you to make these requests on their behalf.

To exercise any of these rights, please contact our Data Protection Officer.

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, please raise this with us in the first instance.

To make a complaint, please first contact our Data Protection Officer.

Alternatively, you can make a complaint to 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, Laura Bland, via email: dpo@batleymat.co.uk