

Privacy Notice for Pupils

Introduction

You have a legal right to be informed about how our trust uses any personal data 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 schools** like you.

We, Birmingham Diocesan Multi-Academy Trust, are the "data controller" for the purposes of UK data protection law.

Birmingham Diocesan Multi-Academy Trust Schools:

Austrey Church of England Primary School – Warwickshire
 Bentley Heath Church of England Primary School - Solihull
 Christ Church, Church of England Secondary Academy – Yardley Wood
 Coleshill Church of England Primary School – Coleshill (North Warwickshire)
 Hawkesley Church Primary Academy – Kings Norton
 Holy Trinity Church of England Primary Academy – Handsworth
 Lady Katherine Leveson Church of England Primary School - Solihull
 Nethersole Church of England Primary Academy – Polesworth (North Warwickshire)
 Nonsuch Primary School – Woodgate Valley
 Newton Regis Church of England Primary School – Tamworth (Staffordshire)
 Quinton Church Primary School -Quinton
 St. Clement's Church of England Primary Academy – Nechells
 St. George's Church of England Primary School – Edgbaston
 St. George's Church of England Primary Academy – Newtown
 St. Margaret's Church of England Primary School - Solihull
 St. Michael's Church of England Primary Academy – Handsworth
 St. Michael's Church of England Primary Academy – Bartley Green
 Warton Nethersole's Church of England Primary School - Tamworth (Staffordshire)
 Woodside Church of England Primary School – Warwickshire

We are an education organisation, and our contact details are:

Address:	BDMAT Central Office, Christ Church, Church of England Secondary Academy, Daleview Road, Yardley Wood, Birmingham, B14 4HN
Email:	enquiries@bdmat.org.uk
Telephone:	0121 828 3523

Our Data Protection Officer (DPO) is Michele Fullwood, Head of School Support, who can be contacted at BDMAT Central Office, Christ Church, Church of England Secondary Academy, Daleview Road, Yardley Wood, Birmingham, B14 4HN dpo@bdmat.org.uk or 0121 828 3523 if you have any queries about this notice or anything related to data protection.

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 other places too – like other schools, the local council, and the government.

The personal information that we collect, hold and share includes:

- Your contact details
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as test results)
- Behaviour information (such as exclusions information, interventions in place, professionals involved if any)
- Safeguarding information

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:

- Medical Information (such as GP names and addresses, details of medical needs such as asthma, allergies, diabetes and other medical conditions including mental health)
- Photographs
- CCTV images captured in school
- Special Educational Needs information (such as diagnosis if any, support in place, professional involved, assessment of need)
- Characteristics (such as ethnicity, language, nationality, country of birth and free meal eligibility)
- Recordings of online streaming of remote learning if applicable

Why we use this data

We use the data listed above:

- a) To support your learning, including remote learning online during COVID 19 lockdowns
- b) To contact you and your parents/carers when we need to.
- c) To monitor and report on your progress.
- d) To check on how you are doing in exams and work out whether you or your teachers need any extra help
- e) To protect your welfare and well-being.
- f) To track how well the school is performing as a whole
- g) To carry out research

Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

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 the **"Why we use this data"** section above are:

For the purposes of b) and d) from the section **"Why we use this data"** in accordance with the "Legal Obligation" basis – we need to process personal data to meet our responsibilities under law as set out here– The Children Acts of 1989 and 2004 and Keeping Children Safe in Education and Working Together to Safeguard Children

For the purposes of a) b) c) d) e) and f) from the section **"Why we use this data"** in accordance with the "public task" basis – we need to process personal

data to fulfil our statutory function as a school as set out here: The Education Act 1996 requires that schools operate and that children in England and Wales aged five to 16 receive full-time education and the Coronavirus Act 2020 Provision of Remote Education (England) Temporary Continuity Direction ('the Direction') which requires schools to provide online learning for all its pupils during COVID19 Lockdowns.

For the purposes of g) from the section **"Why we use this data"** in accordance with the "Legal Obligation" basis – we need to process personal data to meet our responsibilities under law as set out here: UKGDPR and Data Protection Act 2018

For the purposes of a) d) and f) from the section **"Why we use this data"** in accordance with the "Legitimate Interests" basis - where there is a minimal privacy impact, and we have a compelling reason including:

- where we let out school facilities, arrange or facilitate after-school or extra-curricular activities, or sporting events not part of taught sports in the school.
- Where we engage with third parties to provide resources for your learning (see **Who we share data with** section)

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

We have obtained consent to use it in a certain way, for example your consent to use your photographs for display purposes.

Where you have provided us with your consent to use your personal data, this consent can be taken back at any time. We will make it clear when we ask for your consent and explain how your consent can be withdrawn if you want.

Some of the reasons listed above using your personal data overlap, and there may be several grounds which justify our use of the 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 personal data 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 data concerned has already been made obviously public by you
- We need to use it to make or defend against 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 it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to process 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 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 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 data

Whilst 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 provide 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 departments or agencies
- Police forces, courts, tribunals
- Your parents
- Your previous school

How we store this data

We keep personal information about you while you are attending one of our schools. We may also keep it beyond your attendance at the school if this is necessary.

We hold pupil data in line with our data retention guidelines, which can be found on the BDMAT website <https://bdmatschools.com/documents/bdmat-retention-policy/> and a copy is available via this link.

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 will dispose of your personal data securely when we no longer need it.

Who we share data with.

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

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

- Schools/academies that you attend either before you join us or after leaving us; to assist them in discharging their legal duties.
- Our local authority; to meet our legal obligations such as safeguarding concerns and exclusions
- Other local authorities; to share information if you should move out of the area
- The Department for Education (DfE); for statutory returns
- Your family and representatives; in order to confirm attendance/registration at school and query or check accuracy of data.
- Auditors: to ensure schools are accessing all funding due to them and to comply with legislation such as the Academies Handbook.
- Educators and examining bodies – to support pupil eLearning and assessment
- Our regulator – Ofsted

- Survey and research organisations
- Our youth support services provider
- Financial organisations
- Security organisations
- Health Authorities; to assist them in discharging their legal duties
- NHS Track and Trace
- Health and welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisation
- Police forces, courts and tribunals
- Schools nurses; to assist them in discharging their legal duties
- Suppliers and service providers – to enable them to provide the service we have contracted them for. For example:
 - ✓ Outsourced provider for school meals and allergy control – Sodexo, School Food United, Blue Runner.
 - ✓ Outsourced provider for Management Information System which stores pupil, parent and staff data – Arbor
 - ✓ Outsourced provider for educational visit, first aid and administration of medicine records - Evolve
 - ✓ Outsourced provider of dinner numbers Sodexo
 - ✓ Outsourced provider for free school meal entitlement tracker Cloud for Education
 - ✓ Outsourced provider for assessment tracking -GL Assessments
 - ✓ Outsourced provider for safeguarding monitoring of all pupils -CPOMS
 - ✓ Out sourced provider for Admissions -Birmingham City Council Admissions
 - ✓ Outsourced provider for remote learning for pupils -Microsoft Teams

The National Pupil Database (NPD)

We have to provide information about you to the Department for Education as part of data collections such as the school 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 third parties, such as other organisations which promote children's education or wellbeing in England.

These third parties must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage 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

We may share personal information about you with the following international third parties, where different data protection legislation applies:

- 3P (Mathletics) has its main data location as the East US 2 region within Microsoft Azure. In accordance with EU GDPR requirements, Microsoft Azure complies with both the EU-US privacy shield and EU Model Clauses.
- The Schoolcomms Products and Services only processes personal information in the UK. Some supporting services (EG Microsoft CRM), might use cloud platforms that operate from Third Countries outside of the EEA. Where this is the case, Schoolcomms ensure that adequate safeguards are established to protect your data.
- Class Dojo complies with the requirements set forth in the EU-U.S. and Swiss-U.S. Privacy Shield.

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 to personal information that we hold about you- Subject Access Request (SAR)

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 is a really good reason why we should not):

- 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 (decisions made by a computer or machine rather than by a person) is being applied to the data, 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).

Subject access requests can be made verbally. To ensure that your verbal request is fully understood the Information Commissioners Office (ICO) on their website say the following:

Yes. You can make a subject access request verbally, but we recommend you put it in writing if possible because this gives you a record of your request.

If you are making a verbal request, try to:

- *use straightforward, polite language;*
- *focus the conversation on your subject access request;*
- *discuss the reason for your request, if this is appropriate – work with the school or MAT to identify the type of information you need and where it can be found;*
- *ask the school or MAT to make written notes – especially if you are asking for very specific information; and*
- *check their understanding – ask them to briefly repeat back your request and tell them if anything is incorrect or missing before finishing the conversation.*

However, even if you make your request verbally, we recommend you follow it up in writing (eg by letter, email or using a standard form).

So to avoid confusion we ask you when making a subject access request, you do so by contacting our Data Protection Officer, Michele Fullwood, in writing to Birmingham Diocesan Multi-Academy Trust, BDMAT Central Office, Christ Church, Church of England Secondary Academy, Daleview Road, Yardley Wood, Birmingham, B14 4HN or by email to dpo@bdmat.org.uk

Your other rights regarding your data

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

- Say that you do not want your personal information to be used
- Stop it being used to send you marketing materials.
- Say that you do not 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 is inaccurate
- In some cases, have it deleted or destroyed or restrict its use
- Withdraw your consent, where you have previously provided it for collection, processing and transfer of your personal data for a particular reason.
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation if the Data Protection Regulations are broken and this harms you in some way.

To exercise any of these rights, please contact our Data Protection Officer, Michele Fullwood, Birmingham Diocesan Multi-Academy Trust, BDMAT Central Office, Christ Church, Church of England Secondary Academy, Daleview Road, Yardley Wood, Birmingham, B14 4HN or email dpo@bdmat.org.uk

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 let us know first.

To make a complaint contact our Data Protection Officer, Michele Fullwood, Birmingham Diocesan Multi-Academy Trust, BDMAT Central Office, Christ Church, Church of England Secondary Academy, Daleview Road, Yardley Wood, Birmingham, B14 4HN or email dpo@bdmat.org.uk or

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

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, Michele Fullwood, Birmingham Diocesan Multi-Academy Trust, BDMAT Central Office, Christ Church, Church of England Secondary Academy, Daleview Road, Yardley Wood, Birmingham, B14 4HN or email dpo@bdmat.org.uk

Last Updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was reviewed on August 12th, 2022.