

Pupil and Parent Privacy Notice

Introduction

We, Birmingham Diocesan Multi-Academy Trust, are the 'controllers' of the information which we collect about you ('personal data'). Being controllers of your personal data, we are responsible for how your data is processed. The word 'process' covers most things related to personal data, including collection, storage, use and destruction of that data.

This notice explains why and how we process your data, and explains the rights you have around your data, including the right to access it, and to object to the way it is processed. Please see the section on 'Your rights as a data subject' for more information.

Birmingham Diocesan Multi-Academy Trust Schools:

Austrey C of E Primary School – Warwickshire
 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 - Solihull
 Nethersole Church of England Primary Academy – Polesworth (North Warwickshire) Nonsuch Primary – Woodgate Valley
 Newton Regis Church of England Primary School – Tamworth (Staffordshire)
 Quinton Church Primary School
 St. Clement's Church of England Primary Academy – Nechells
 St George's Church of England Primary Academy – 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 C.E. Primary School - Tamworth (Staffordshire)
 Woodside Church of England Primary School – Warwickshire

We are an education organisation and our contact details are:

Address:	1 Colmore Row, Birmingham, B3 2BJ
Email:	enquiries@bdmatschools.com
Telephone number:	0121 426 0403

Our Data Protection Officer (DPO) is Chris Manning, Chief Finance & Operations Officer, who can be contacted at 1 Colmore Row, Birmingham, B3 2BJ, dpo@bdmat.org.uk or 0121 426 0403 if you have any queries about this notice or anything related to data protection.



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Personal data

'Personal data' is any information that relates to a living, identifiable person. This data can include your name, contact details, and other information we gather as part of our relationship with you.

It can also include 'special categories' of data, which is information about a person's race or ethnic origin, religious, political or other beliefs, physical or mental health, trade union membership, genetic or biometric data, or sexual orientation. The collection and use of these types of data is subject to strict controls. Similarly, information about criminal convictions and offences is also limited in the way it can be processed.

We are committed to protecting your personal data, whether it is in 'special categories' (as defined by the Information Commissioners Office) or not, and we only process data if we need to for a specific purpose, as explained below.

We collect your personal data mostly through our contact with you, and the data is usually provided by you, but in some instances, we may receive data about you from other people/organisations. We will explain when this might happen in this notice.

Pupil Information that we collect, hold and share

The categories of pupil information that we collect, hold and share include:

- Personal information (such as names, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationally, country of birth and free meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as pupil results)
- Pupil and curricular records
- Medical Information (such as GP names and addresses, details of medical needs such as asthma, allergies, diabetes and other medical conditions)
- Special Educational Needs information (such as diagnosis if any, support in place, professional involved, assessment of need)
- Behaviour information (such as exclusions information, interventions in place, professionals involved if any)
- Safeguarding information
- Photographs
- CCTV images captured in school
- Recordings of online streaming of remote learning

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

Parent/Carer Information that we collect, hold and share

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

- Contact details and contact preferences
- Family links
- Parent/carers details
- CCTV images captured in school
- Recordings of online streaming of remote learning

Why we collect and use this information

We use the pupil data:

- To support pupil learning, including remote learning online during COVID 19 lockdowns
- Contact parents/carers to support their child.
- To monitor and report on pupil progress.
- To provide appropriate pastoral care.
- To protect pupil welfare.
- To assess the quality of our services, including remote learning online during COVID 19 lockdowns
- To administer admissions waiting lists.
- To comply with the law regarding data sharing.

The lawful basis for which we use this information

We collect and use parent and pupil information under:

Article 6c of the GDPR where processing is necessary for compliance with a legal obligation to which the controller is subject: for example – The Children Acts of 1989 and 2004

Article 6e of the GDPR where processing is necessary to undertake a public task: for example, 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.

Article 6f where processing is necessary for our legitimate interests or that of our third party, for example: 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.

Article 9 of the GDPR where processing of special category data is necessary to protect the vital interests of the data subject where the data subject is physically or legally incapable of giving consent – for example in safeguarding a child(ren) or child protection.

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

We have obtained consent to use it in a certain way, for example parental consent for a learner to attend a school visit or parental consent to use photographs of pupils for display

purposes.

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

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

Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis.

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.

Storing pupil data

We keep personal information about pupils 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 aim to keep your data safe and secure and ensure that anyone we share your information with also meets our data security requirements.

We hold pupil data in line with data retention guidelines, which is outlined in the [IRMS Information Management Toolkit for schools](#) and a copy is available on request.

Who we share and receive pupil information with/from

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

- Schools/academies that the pupil's attend 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
- The pupil's family and representatives; in order to confirm attendance/registration at school and query or check accuracy of data.
- Educators and examining bodies – to support pupil eLearning and assessment
- Our regulator - Ofsted
- The NHS; to assist them in discharging their legal duties
- NHS Track and Trace
- 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:



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- Educaterers for school meal provision
- Eduspot for text & email messaging services for pupils;
- Warwickshire County Council for free school meal entitlement tracker;
- School Money for online parent pay facility
- Tapestry for reception children's academic progress;
- Fischer Family Trust for year 1 to year 6 assessment tracking;
- ICTDS for e-learning service for pupils.
- Google Classrooms for remote learning for pupils during COVID 19 lockdown

Why we share pupil information

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

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013. Some of this information is then stored in the National Pupil Database.

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils 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 NPD, go to:

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils 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 Department 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.



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To be granted access to pupil 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 department'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 department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

Requesting access to your personal data – Subject Access Request (SAR)

Under data protection legislation, parents have a legal right to access their child's educational record.

Individuals also have a right to make a subject access request to gain access to personal information that schools holds about them or their child if the child is under the age of 12. (Not of an age to be considered mature enough to understand their rights over their own data)

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 them to identify the type of information you need and where it can be found;*
- *ask them to make written notes – especially if you are asking for very specific information; and*
- *check their understanding – ask them to briefly summarise your request and inform 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, or requesting to be given access to your child's educational record, you do so by contacting our Data Protection Officer, Chris Manning, in writing either to Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or by email to dpo@bdmat.org.uk



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Other rights

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress.
- prevent processing for the purpose of direct marketing.
- object to decisions being taken by automated means.
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection Regulations.

To exercise any of these rights, please contact our Data Protection Officer, Chris Manning, Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or dpo@bdmatt.org.uk

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Head of School Support, Michele Fullwood Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or m.fullwood@bdmatschools.com

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance.

To make a complaint contact either our Head of School Support, Michele Fullwood Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or m.fullwood@bdmatschools.com or our Data Protection Officer, Chris Manning,

Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or dpo@bdmatt.org.uk

Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/> or call 0303 123 1113