



**KING EDWARD VI
ACADEMY TRUST
BIRMINGHAM**

Privacy Notice for Pupils

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<i>Responsible Board</i>	Academy Trust Board
<i>Policy Officer</i>	Executive Director
<i>Date Adopted</i>	June 2020
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<i>Version</i>	1

This notice might be difficult for you to understand. You can ask your parents or another adult such as your teacher to help you understand it.

It is about how we use information about you and what we do with it. We call this information about you 'personal data' or 'personal information.'

Who we are

You may already know that your school is part of the King Edward VI Academy Trust Birmingham (the 'Academy Trust'). As part of the new General Data Protection Regulation ('GDPR') we have to tell you that the Academy Trust is the organisation which is in charge of your personal information. This means the Academy Trust is called the Data Controller.

The entities within the Academy Trust are:

- King Edward VI Aston School;
- King Edward VI Balaam Wood Academy;
- King Edward VI Camp Hill School for Boys;
- King Edward VI Camp Hill School for Girls;
- King Edward VI Five Ways School;
- King Edward VI Handsworth School for Girls;
- King Edward VI Handsworth Grammar School for Boys;
- King Edward VI Handsworth Wood Girls' Academy;
- King Edward VI Sheldon Heath Academy; and
- King Edward's Consortium.

The postal address of the Academy Trust is:

King Edward VI Academy Trust, Foundation Office, Edgbaston Park Road, Birmingham B15 2UD.

The Academy Trust is sponsored by the The Schools of King Edward VI in Birmingham (the 'Foundation') a Charity registered at Foundation Office, Edgbaston Park Road, Birmingham B15 2UD. The Foundation and Academy Trust share resources and act in accordance with their Data Sharing Agreement.

If you want to contact us about your personal information you can contact your Data Protection Lead for your school. The name of your school's Data Protection Lead can be found here: <https://www.schoolsofkingedwardvi.co.uk/legal-information/>. You can speak to him/her in school or you can leave a letter at the school reception or send one via post to your school.

The Data Protection Officer for the Academy Trust is Laura Ganderton. You can contact her via:

- email: dataprotection@ske.uk.net ;
- telephone: 0121 472 1147; or
- post: Foundation Office, Edgbaston Park Road, Birmingham B15 2UD.

In this notice 'we' and 'us' means the Academy Trust and 'parent' means parent, guardian and carer.

Aim

The Academy Trust is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during your time with us.

The Academy Trust aims to ensure that all data collected about staff pupils, parents and visitors is collected, stored and processed in accordance with the General Data Protection Regulation. This applies to all data, regardless of whether it is in paper or electronic format.

We may amend this privacy notice at any time.

Definitions

Term	Definition
Personal data	Data from which a person can be identified, including data that, when combined with other readily available information, leads to a person being identified
Special category data	These are data about ethnic origin, political opinions, religious or similar beliefs, trade union membership, health, sex life, criminal proceedings or convictions, genetic or biometric data
Processing	Obtaining, recording or holding data
Data subject	The person whose personal data is held or processed
Data controller	A person or organisation that determines the purposes for which, and the manner in which, personal data is processed
Data processor	A person, other than an employee of the data controller, who processes the data on behalf of the data controller

Data protection principles

We will comply with data protection law. This says that the personal data we hold about you must be:

- used lawfully, fairly and in a transparent way;
- collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- relevant to the purposes we have told you about and limited only to those purposes;
- accurate and kept up-to-date;
- kept only as long as necessary for the purposes we have told you about; and
- kept securely.

The law provides that from the age of 12, pupils are mature enough to exercise their own data protection rights.

Categories of pupil information that we collect, hold and share

This data includes, but is not restricted to:

- Personal information (such as name, unique pupil number, medical information and address);
- Characteristics (such as ethnicity, language, nationality and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons);
- Educational records (such as national curriculum assessment results, safeguarding and exclusions).
- The provision of educational support and related services to pupils (and parents) including the provision of the school's IT and communications system and virtual learning environment (and monitoring the same) all in accordance with our IT policies.

This information will include where you go after you leave us and any special educational needs you may have. We will also use photographs of you. More details about this are in our photograph policy.

How we collect personal information

- When you join the School, your admissions and acceptance forms give us lots of personal information;
- If your school is a grammar school, we will receive information about you from your entrance exam application;
- You, your teachers and other pupils may also provide information once you are a pupil in the school;
- Your old school also gives us information about you so that we can teach and care for you;
- Sometimes we get information from your doctors and other professionals where we need this to look after you;
- Local authority and/or the Department for Education ('DfE') may provide us with information;
- For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.

We use CCTV at some of our schools to make sure the school sites are safe. CCTV is not used in private areas such as changing rooms. For more information, please refer to our CCTV policy.

How we use pupil information

We, the Academy Trust, collect and hold personal information relating to our pupils. We use this personal data to:

- support pupil learning;
- monitor and report on pupil progress;
- provide appropriate care for pupils;
- assess the quality of our services;
- to comply with the law about sharing personal data.

The use of your information for these purposes is lawful for the following reasons:

- The Academy Trust is under a legal obligation to collect the information or the information is necessary for us to meet legal requirements imposed upon us such as our duty to safeguard pupils;
- It is necessary for us to hold and use your information for the purposes of our functions as a school and so we can look after you. This is a function which is in the public interest because everybody needs to have an education. This means we have real and proper reasons to use your information.

We will not usually need your consent to use your information. However, if at any time we would like to use your personal data in a way which means that we would need your consent, then we will explain to you what we want to do and ask you for consent. This is most likely to be when we are involved in activities which are not really part of our job as an Academy Trust/School, but we are involved because we think it would benefit you. If you give your consent, you may change your mind at any time. If we think that you will not understand what we are asking, then we will ask your parent or carer instead. Usually, we will involve your parents even if you can make your own decision.

When we collect personal information on our forms, we will make it clear whether there is a legal requirement for you/your parents to provide it, whether there is a legal requirement on the school/Academy Trust to collect it. If there is no legal requirement, then we will explain why we need it and what the consequences are if it is not provided.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to provide you with an education through the Academy Trust, or we may be prevented from complying with our legal obligations as an education provider.

When we give your information to others

Once you reach the age of 13, the law requires us to pass on certain information to Birmingham City Council ('BCC') who have responsibilities in relation to the education or training of 13-19 year olds. We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers in order to secure appropriate services for them. A parent / guardian can request that **only** their child's name, address and date of birth be passed to BCC by informing your school administrator. This right is transferred to the child once he / she reaches the age of 16.

For more information about services for young people, please go to the local authority website https://www.birmingham.gov.uk/info/20014/schools_and_learning.

Names and areas of interest are shared with our Careers Education Provider to enable them to provide information and feedback relevant to you.

We will not give information about our pupils to anyone without your consent unless the law and our policies allow us to do so. If you want to receive a copy of the information about you that we hold, please contact your school administrator.

We are required, by law under regulation 5 of the Education (Information about Individual Pupils) England Regulations 2013, to pass some information about our pupils to the DfE. This is the part of the Government which is responsible for schools. This information may, in turn,

then be made available for use by the Local Authority.

The DfE may also share information about pupils that we give to them with other people or organisations. This will only take place where the law, including the law about data protection, allows it.

The National Pupil Database (NPD)

The NPD is owned and managed by the DfE 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.

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.

To find out more about the pupil 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 [National pupil database: user guide and supporting information - GOV.UK](#).

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 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 the 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 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>

We will also normally give information about you to your parents or your main carer. Where appropriate, we will listen to your views first. We will also take family circumstances into account, in particular where a Court has decided what information a parent is allowed to have.

We will also disclose your personal data to ensure you are safe in school to:

- Your new school if you move schools;
- Disclosures connected with Special Educational Needs ('SEN') support – e.g. Communication and Autism Team, Pupil School support and the Local Authority;
- School nurse;
- School Counsellor;
- CAMHS (Child and Adolescent Mental Health Service);
- Emergency services.

The information disclosed to these people/services will include sensitive personal information about you. Usually this means information about your health and any special educational needs or disabilities which you have. We do this because these people need the information so that they can support you.

We will also share your data to support your learning

We will also disclose your personal data to a range of suppliers to support your learning and communication within school. The specific suppliers will change from time to time but will include:

- Examination boards (e.g. AQA, Edexcel, OCR, WJEC, ABRSM, Trinity) and the Joint Council for Qualifications (JCQ);
- Suppliers of online resources to support with your work, both in and out of school (e.g. GCSEPod, MyMaths, Pearson ActiveLearn, Collins Connect, Kerboodle);
- Systems to enable target setting and monitoring of progress (e.g. FFT (Aspire), SISRA, CEM (ALIS));
- Communication & organisation systems (e.g. G-Suite, Gmail, ParentPay, Cashless Catering, Groupcall);
- Organisations which run competitions for pupils (e.g. Brebras Challenge, ICAEW).

The information disclosed to these people/services will usually only include the key information required for your use of the systems, the exception being the examination boards where sensitive information may be disclosed e.g. your medical details and any special educational needs or disabilities you have which require specific arrangements to be made for your examinations. We share this information to support your learning and to enable you to access the examinations in an appropriate manner.

For a list of third parties we may share your information with please visit:

<https://www.schoolsofkingedwardvi.co.uk/legal-information/>

Our disclosure of your personal data is lawful for the following reasons:

- The Academy Trust is under a legal obligation to disclose the information or disclosing the information is necessary for us to meet legal requirements imposed upon us such as our duty to look after you and protect them from harm.
- It is necessary for us to disclose your information for the purposes of our functions in providing schooling. This is a function which is in the public interest.
- We have a legitimate interest in disclosing your information because it is necessary in order to provide you with education and pastoral care and connected purposes as outlined above.
- We will not usually need consent to disclose your information. However, if at any time it appears to us that we would need consent then this will be sought before a disclosure is made.

It is in your vital interests for your personal information to be passed to these people or services. We will ask you for consent once we think that you can understand what we are asking for. This is because the law requires us to ask you if you can understand. Normally, we involve your parents too. By law we won't need their consent if you can give it but parents like to be involved because it is part of looking after you. Before you are old enough to understand what we are asking for we will ask your parents to consent for you.

We do not normally transfer your information to a different country which is outside the European Economic Area. This would only happen if one of your parents lives abroad or if you move to a new school abroad. If this happens we will be very careful to make sure that it is safe to transfer your information. We will look at whether that other country has good data protection laws for example. If we cannot be sure that it is safe then we will talk to you and your parents about it and make sure that you are happy for us to send your information. As this is not something we normally do and we don't know which country we might need to send your information to, we cannot tell you more about it now. But if we want to transfer your data to a different country then we will tell you whether or not we think it is safe and why we have decided that.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Security

We have appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

How long we keep your information

We only keep your information for as long as we need to or for as long as the law requires us to. Most of the information we have about you will be in our school information management system. We usually keep these until your 25th birthday unless you move to another school in which case we send your records to your new school.

The Foundation maintains a permanent archive of all pupils who have ever attended a school of the Foundation. This archive comprises of the pupil's address when they started at the school, date of birth, parents' occupations and what type of place they had (such as a scholarship), together with the dates they started and finished as a pupil. The archive can be accessed by the archivist for research and other purposes, but is not used for marketing.

We have a policy which explains how long we keep information. It is called a Data Retention Policy and you can find it on the Academy Trust website or contact your school reception.

Your rights

You have the following rights in relation to the information we hold about you:

- You can ask us for a copy of the information we have about you;
- You can ask us to correct any information we have about you if you think it is wrong;
- You can ask us to erase information about you (although we may have good reasons why we cannot do this);
- You can ask us to limit what we are doing with your information;
- You can object to what we are doing with your information;
- You can ask us to transfer your information to another organisation in a format that makes it easy for them to use.

There is more information in our Data Protection Policy or you can ask the Data Protection Lead at your school.

The policy can be found on the Academy Trust website or you can contact your school reception.

You can complain about what we do with your personal information. If you are not happy with our answer to your complaint, then you can complain to the Information Commissioner's Office:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

COVID-19 Addendum

This addendum details the following temporary variation to this Privacy Notice in relation to the virtual learning environment.

Reason for the variation

In response to the COVID-19 pandemic, our schools may conduct virtual live lessons to enhance the education of our pupils.

Legal reasons for recording virtual live lessons

- The virtual live lessons may be recorded for safeguarding purposes to protect pupils and staff.
- Not all students will have access to appropriate broadband speeds or to a device to stream the virtual lesson live. Therefore, a link to the recording may also be circulated to the relevant cohort to ensure inclusion for those pupils unable to attend the live lesson.

Communication

Relevant schools will issue guidance to parents and pupils where this is in place. The teacher will inform pupils at the start of the virtual live lesson that it is being recorded and the reason. Pupils will then be able to turn off their video and microphone.

Security

Systems will comply with our standard security protocols which will be detailed in the schools' guidance to parents and pupils.

Retention

Any recordings will be securely retained for up to 6 months in line with the Data Retention Policy.

Relevant legal provisions

The legal bases for recording virtual live lessons are as follows:

- Public Task – Article 6(1)(e) processing is necessary for the performance of a task carried out in the public interest.
- If and to the extent we process special category data the applicable legal grounds are Article 9(2)(g) processing is necessary for reasons of substantial public interest, on the basis of UK law. Schedule 1(2)(18) of the Data Protection Act 2018 - Safeguarding of children and of individuals at risk.

Due to the fluid environment created by COVID-19 we will keep these arrangements under review.