



September 2023

## **Moorlands Learning Trust**

### **Privacy Notice for Pupils**

This notice applies to all schools within the Moorlands Learning Trust (MLT). During your time as a pupil with us, we will gather and use information relating to you. Information that we hold in relation to individuals is known as their “personal data”. This will include data that we obtain from you directly and data about you that we obtain from other people and organisations. We might also need to continue to hold your personal data for a period of time after you have left MLT.

This document explains what personal data we hold about you, how and why we process that data, who we share this information with, and your rights in relation to your personal data processed by us.

MLT aims to ensure that all personal data collected about pupils, staff, students, parents, governors, visitors and other individuals is collected, stored and processed in accordance with the Data Protection Act 2018 and other applicable Data Protection Legislation. A separate Parent/Carer Privacy Policy and Employee Privacy Policy are available on our website.

#### **Who collects your information and why**

MLT is the ‘data controller’ for the purposes of UK Data Protection Law and collects and processes personal data relating to you as a pupil of an MLT school. Anything that we do with your personal data is known as “processing”.

Our contact details are:

Data Protection Officer (our current DPO is Judicium Consulting Ltd)

**Address: 5th Floor, 98 Theobalds Road, London, WC1X 8WB**

**Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)**

#### **What personal data do we collect?**

The categories of information that we may collect, hold and share about you include:

- Personal identifiers about you (such as your name, unique pupil number, contact details and address)
- Characteristics about you (such as your age, languages you speak, and your free school meal eligibility)
- Safeguarding information about you (such as court orders and professional involvement)

- Information about any special educational needs you may have
- Details of your attendance at school (such as classes attended, number of absences, absence reasons and any previous schools you have attended)
- Assessment and attainment information (such as exam results, key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Catering management and free school meal information
- Information about school trips and activities
- Details of any support you receive, including care packages, plans and support providers
- Photographs or videos taken in school
- CCTV images captured in school

We may also collect, store and use information about you that falls into 'special categories' or more sensitive personal data. This includes information about (where applicable): your race, ethnicity, religious beliefs, sexual orientation and health, including any medical conditions, sickness records, doctors information, dental health data, allergies information, medication and dietary requirements.

Where we have obtained consent to use your 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.

### **Where do we get your personal data from?**

We collect information about you in a number of ways, including:

- Registration forms that you, your parents or carers fill in at the start of the school year
- Common Transfer Files or secure file transfers from previous schools you have attended
- When you, your parents or carers write to or speak with your school or MLT
- When you attend any MLT school and are captured on CCTV
- From the local authority who manages our school's admissions processes
- From organisations such as social services, the courts, NHS, the police or other public bodies

In order to comply with data protection law, when we ask you for information we will tell you whether you must provide certain information to us or if you have a choice in this, and we will tell you what you need to do if you do not want to share this information with us.

### **How we use your personal data**

We collect and use your information for the following purposes:

- To support your learning
- To monitor and report on pupil attainment, attendance and progress
- To provide appropriate pastoral care
- To assess the quality of our services
- To keep you and other pupils safe
- To meet the legal duties placed upon us by the Department for Education

- To carry out research
- To administer admissions waiting lists
- To comply with the law regarding data sharing

### **The lawful basis on which we collect and use your data**

We collect and use your personal data for a number of reasons, including:

- **Where collecting this data is necessary for us to comply with our legal obligations.** This includes providing services to you and other pupils, to report on the performance and progress of pupils and deliver effective teaching.
- **Where collecting this data is necessary to protect the vital interests of you and other pupils.** This includes raising safeguarding concerns and keeping you and other pupils safe.
- **Where collecting this data is necessary for us to perform a task we carry out in the public interest.** This includes data collected for Department for Education census information, to communicate with you and your parents/carers, and to ensure the safety of all pupils staff and visitors on our school sites.

We process special category data with your explicit consent or where it is necessary to protect the vital interests of an individual. Other than this we do not regularly process personal data on the basis of consent, but we will inform you if your consent is required and seek that consent before any processing on this basis takes place.

### **Storing your data**

We hold your data whilst you attend an MLT school. We may also keep it beyond your attendance at our schools if this is necessary in order to comply with our legal obligations.

We will only retain personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of personal data, the purposes for which we process personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

### **Who we share your information with**

We routinely share pupil information with:

- Your parents, carers and other authorised adults
- Schools that you attend after leaving us
- Other schools within MLT
- Local authorities
- Youth support services (for pupils aged 13+)
- The Department for Education (DfE)
- Educators and examining bodies

- Our regulator (Ofsted)
- Suppliers and service providers – to enable them to provide the services we have contracted them for\*
- health authorities, professional advisers and consultants
- police forces, courts and tribunals

\*Where necessary, third parties may be responsible for processing pupils' personal information. Where this is required, MLT places data protection requirements on those third party processors to ensure data is processed in line with pupils' privacy rights.

### **Why we regularly 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 share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

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

### **Pupils aged 13+**

Once our pupils reach the age of 13, we also pass pupil 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 object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once they reach the age 16.

Data is securely transferred to the youth support service via IYSS database and is stored on CPOMS and Provision Map and held for date of birth of pupil + 25 years.

For more information about services for young people, please visit our local authority websites.

### **Pupils aged 16+**

We will also share certain information about pupils aged 16+ with 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:

- post-16 education and training providers
- youth support services
- careers advisers

A child / pupil once they reach the age of 16 can object to only their name, address and date of birth is passed to their local authority or provider of youth support services by informing us.

Data is securely transferred to the youth support service via IYSS database and is stored on CPOMS and Provision Map and held for date of birth of pupil + 25 years.

For more information about services for young people, please visit our local authority website.

## Your rights in relation to your data

### Requesting access to your personal data

You and your parents/carers have the right to request access to information that we hold about you. To make a request for your personal information, or be given access to your child's educational record, please contact the Data Protection Officer (our current DPO is Judicium Consulting Ltd)

**Address: 5th Floor, 98 Theobalds Road, London, WC1X 8WB**

**Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)**

You have the right to:

- **Request access** to your personal data (this is called a "data subject access request"). This means you can receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of your personal data: This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request that we delete any of your personal data.** You can ask us to remove personal data where there is no good reason for us continuing to process it. You also have this right where you have successfully exercised your right to object to processing, where we may have processed your data unlawfully or where we are required to delete your personal data to comply with law. We may not always be able to comply with your request to delete your data, for example where there are particular legal reasons we have to keep this data.
- **Object to processing** of your personal data where we rely on a legitimate interest basis and if the processing impacts on your fundamental rights and freedoms. In some cases, we may demonstrate that we have grounds to process your data which override your rights and freedoms.
- **Request restriction of processing.** You can ask us to suspend the processing of your personal data: if you want us to establish the data's accuracy; where our data use is unlawful but you do not want us to erase it; where you need us to hold the data even if we no longer need it, to establish, exercise or defend legal claims; or you have objected to use of data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request a data transfer.** We will provide to you, your parent/guardian or somebody else you choose, your personal data in a structured easy to read format that you can read on a computer. This only applies to automated information which you provided consent for us to use or necessary to perform a contract with you.

- **Withdraw consent** at any time where we rely on consent to process your personal data.  
This will not affect the lawfulness of processing carried out prior to withdrawing consent.

### **The right to lodge a complaint**

If you are unhappy with our use of your personal data, please let us know by contacting our Data Protection Officer (our current DPO is Judicium Consulting Ltd)

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You also have the right to lodge a complaint with the Information Commissioner's Office (ICO) which is the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, like the opportunity to assist you with any concerns before you approach the ICO so please contact us in the first instance using the details above.

## **How the Government uses your data**

The pupil 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 Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

### **Data collection requirements**

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

### **The National Pupil Database (NPD)**

Much of the data about pupils in England goes on to be held in 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>

## **Sharing by the Department for Education**

The law allows the Department for Education to share pupils' personal data with certain third parties, including:

- schools
- local authorities
- researchers

- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

## How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the DfE:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the DfE, you should make a 'subject access request'. Further information on how to do this can be found within the DfE's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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

## 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 last updated on June 2021.

## Contact

If you have any questions or require further information about this privacy notice, including any requests to exercise your privacy rights, please address your query in writing to:

Data Protection Officer (our current DPO is Judicium Consulting Ltd)

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