Creative Education Trust

Privacy Notice
(How we use pupil information)

Creative Education Trust (and each of our schools) collects and holds personal information relating to our pupils. The Trust may also receive information about pupils from their previous school, and forward information to a school that pupils are transferring to.

Creative Education Trust collects and holds pupil data to enable our schools to provide education services that meet the needs of our pupils. The information supports the tracking of student attainment and progress, attendance and behaviour. Curriculum, examination and timetabling decisions are based on the data we collect and ensure the appropriate support is given to specific groups of students.

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

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as internal tests, student progress information, examination results)
- Medical information (such as allergies, required medication, medical incidents that have occurred inside and outside of school that may affect learning or safety, physical or mental health needs)
- Special Educational Needs and Disabilities information (such as specific learning difficulties, medical and learning needs)
- Behavioural information (such as rewards, achievements, behaviour incidents, exclusions, detentions)
- Transport arrangements (such as bus number and route)
- First aid incidents and accident information
- Post-16 information (such as destinations data, UCAS applications and grants)
- Some financial information (such as bank details for bursary applications)
- Other, including photographic images, audio and video recordings, CCTV images (in certain schools), Biometric data (in certain schools).

Why we collect and use this information

We use the student data to:

- Support student learning
- Monitor and report on student progress
- Monitor student behaviour and attendance
- Provide appropriate pastoral care
- Assess the quality of our services
- Comply with the law regarding data sharing
- Contact parents/carers
- Enter students for examinations
- Transfer personal Sixth Form Bursary payments

The lawful basis on which we use this information

We collect and use student information under GDPR, Article 6(1):

1. Where it is necessary for compliance with a legal obligation on the academies to educate the data subject or that the data subject has given consent to the processing of his or her personal data for one or more specific purposes.
2. Where processing is necessary for the performance of tasks carried out in the public interest. It is in the public interest to provide educational services to our pupils and to offer extra-curricular activities such as, but not limited to, reading sessions, afterschool clubs to benefit the personal and academic growth of our pupils or where we engage with universities and other educational establishments that offer enrichment.
3. Where processing is necessary for the purposes of the legitimate interests, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data. This may include matters such as supporting student learning above by recording lessons and making the recording available to pupils where a pupil cannot attend a lesson (e.g. because the pupil is ill or the relevant parent is unavailable to supervise),
4. Personal data will be collected and/or processed for the purposes of relevant contracts for the provision of services which are paid for. This may include but is not limited to:

    - The provision of music tuition
    - School trips
    - Entering students for examinations

We do not process any special categories of personal data except where necessary for reasons of substantial public interest in complying with legal obligations (including under the Equality Act 2010), or where necessary to protect the vital interests of the data subject or of another natural person and where safeguards are in place to ensure that this personal data is kept secure. For the avoidance of doubt where special

categories of personal data are collected it shall not be used for the purposes of automated decision making and/or profiling.

Special categories of data means any personal data revealing:

- Race
- Ethnic origin
- Politics
- Religion
- Trade union membership
- Genetics
- Biometrics (where used for ID purposes)
- Health
- Sex life
- Sexual orientation

Further personal data including special categories of personal data may be collected and/or processed where consent has been given (for example, school photographs for non-educational purposes and engagement with social media). If consent is the only legal basis for processing and has been given, then this may be revoked in which case the personal data will no longer collected/processed.

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. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Storing pupil data

We hold pupil data in line with guidance issued by the Information and Records Management Society (https://irms.site-ym.com/). For our primary pupils, the majority of pupil information held will follow the pupil when they leave the primary school, for example when they attend secondary school, the information will be transferred to the new school. For our secondary pupils, the majority of pupil information held will be retained until 25 years following the date of birth of the pupil, after which time the information will be securely destroyed.

Who we share pupil information with

We routinely share pupil information with:

- Other educational establishments and alternative education
- Local authorities
- Department for Education (DfE)
- Ofsted
- Examination Boards
- Child Health Service

- Education Psychologists
- Police service
- Employers (References)
- 3rd Party Applications and Services such as but not limited to:
  - Microsoft
  - DfE BT WiFi
  - Arbor
  - ParentPay
  - CPOMs

- Schools that our pupils join after leaving our schools

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 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.

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.

Youth support services

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 and services

A parent or guardian can request that only their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us in writing.

This right is transferred to the child / pupil once they reach the age 16.

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 and services

For more information about services for young people, please visit the relevant local authority website (Schools should include their Local Authority details here).

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.

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 NPD, go to https://find-npd-data.education.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 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

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 DfE: https://www.gov.uk/contact-dfe.

Requesting access to your personal data

Under data protection legislation, parents, carers and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the Trust's Data Protection Officer via email at dpo@creativeeducationtrust.org.uk or by post at the following address: Data Protection Officer, Creative Education Trust, c/o The Milton Keynes Academy, Fulwoods Drive, Milton Keynes. MK6 5LA.

Please note independent schools, academies and free schools are not obliged to respond to a request for access to a pupil's education record under The Education (Pupil Information) (England) Regulations 2005. Any request for education records will be treated as a subject access request which has a 1 calendar month response time, where necessary the GDPR permits an extension of up to 2 additional months.

For further information on accessing pupil information go to https://ico.org.uk/your-datamatters/schools/pupils-info/.

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

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. Alternatively, you can contact the Information Commissioner's Office at https://ico.org.uk/concerns/.

Contact

If you would like to discuss anything in this privacy notice or withdraw consent, please contact the Trust's Data Protection Officer via email at dpo@creativeeducationtrust.org.uk or by post at the following address: Data Protection Officer, Creative Education Trust, c/o The Milton Keynes Academy, Fulwoods Drive, Milton Keynes. MK6 5LA.