

Privacy Notice – pupils and their families

The Brigshaw Learning Partnership (BLP) is the Data Controller of the personal information you provide to us. We will ensure that we will treat all personal information in accordance with data protection legislation, including the General Data Protection Regulation and Data Protection Act 2018. The Headteacher acts as a representative for the school with regard to its data responsibilities.

In some cases, your data will be outsourced to a third party processor who provides a service to us. Where the school outsources data to a third party processor, the same data protection standards that the school upholds are imposed on the processor.

Mrs Wendy Harrington is the Data Protection Officer. Her role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the GDPR. The Data Protection Officer can be contacted at: DPO@brigshawtrust.com.

What is this Privacy Notice for?

The notice sets out the different areas where user privacy is concerned and outlines the obligations & requirements of the users, the BLP and the school. The aim of the notice is to give pupils, parents and carers an insight into how information about pupils is used in BLP educational settings and how our websites work.

Once a child is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), you should instead refer to our privacy notice for pupils to see what rights pupils have over their own personal data. A copy of this privacy notice can be obtained from the school office.

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

- Personal information (such as name, unique pupil number, email 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, attainment and curricular information (such as Science, Key Stage 1 and GCSE performance)
- Medical information, including physical and mental health and details of self isolation in a pandemic
- special educational needs and disabilities information,
- Behaviour information (such as exclusions and alternative provision information)
- safeguarding information (such as child in need referral information)

- next of kin information
- emergency contact information
- Admissions information
- photographs
- transport to school information
- videos to be used in school to review an area of performance
- Details of any support received, including care packages, plans and support providers

Under Article 9 of the GDPR, we may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- race, ethnicity, religious beliefs, sexual orientation and political opinions
- health, including any medical/disabilities information, and sickness records.
- biometric data (such as fingerprint for lunch payments)
- CCTV and school entry systems images captured in school

Within school we use pupil and parent/carers data:

- a) to support pupil learning
 - b) to safeguard pupils and the wider public
 - c) to monitor and report on pupil progress and equality of opportunity
 - d) to provide appropriate pastoral and safeguarding care
 - e) to allocate the correct teaching resource
 - f) to provide appropriate additional support
 - g) to assess the quality of our services
 - h) to provide a service such as cash free catering, professional sports coaching
 - i) to administer admissions waiting lists
 - j) to provide information to families about events and activities at the school
 - k) to comply with public health requirements
 - l) to comply with the law regarding education
 - m) to comply with the law regarding data sharing
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- n) to administer and protect public funds
 - o) to have accurate medical information on each child (such as food allergies)
 - p) to have emergency contacts for each child
 - q) to provide a secure photocopying service
 - r) to carry out research

Most commonly, we process data where:

- We need to comply with a legal obligation (l – n from the table above)
- We need it to perform an official task in the public interest (a- l above)
- We need it to perform a contract (n above)

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

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (o,p and k above) - or someone else's interests

Where we have obtained consent to use pupils' personal 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.

Legal Obligation to collect and use pupil/carers information

We collect and process information because we have legal obligations and statutory duties to support the education and safety of all young people in the care of Brigshaw Learning Partnership.

We collect and use this information under:

Article 6: 1(c) processing is necessary for compliance with a legal obligation to which the controller is subject.

We are legally obliged to collect data to comply with the following legislation:

- The Education Act 1996, 2005 & Education and adoption Act 2016
- Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013
- the Education (School Performance Information)(England) Regulations 2007
- Article 6 and Article 9 (for sensitive data) of the new GDPR laws, provide some of the underpinning purposes for school's data collection.
- To follow DFE guidance on school attendance 2016 and Early Education and Childcare guidance 2018
- regulations 5 and 8 School Information (England) Regulations 2008
- the Education (Pupil Registration) (England) (Amendment) Regulations 2013
- The Children (Performances and Activities) (England) Regulations 2014 Education Regulations 2013
- Children Act 1989 and 2004
- Equalities Act 2010
- Childcare Act 2006 and 2016
- Children, Schools and Families Act 2010
- Academy Funding Agreement and Articles of Association

- Academy's legal and statutory framework
- Safeguarding Vulnerable Groups Act 2006
- The guidance "Keeping Children Safe in Education"
- The Childcare (Disqualification) Regulations 2009

Use of your child's personal data for marketing purposes

We may send your child marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to them.

Where we have obtained consent for such purposes, this can be withdrawn or you can 'opt out' of receiving certain types of marketing emails and/or texts at any time by contacting the school office.

Collecting Parent information

Parent contact information will be collected and occasionally we may need to collect medical data to provide parents and other visitors with first aid or meet Public Health England's requirements.

Some of our schools have CCTV and visitor entry systems which capture parents' images.

Parent contact information will be collected to enable us to keep parents informed about a pupil's progress and behaviour at school.

Collecting pupil information

We obtain pupil information via registration forms at the start of each academic year. In addition, when a child joins us from another school we are sent a secure file containing relevant information.

Pupil data is essential for the schools' operational use. 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 GDPR we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this. Where consent is required, the school will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

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 data protection law:

- We have obtained your explicit consent to use your child's personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your child's 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 manifestly public by you
- We need to process it for the establishment, exercise or defence of 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 the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, such as complying with Test and Trace legislation, and the processing is done by, or under the direction of, a health professional or by any other person 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 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 child's 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 manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

Storing pupil and parent/carers data Securely

We follow legislation on how long we should hold pupil data in school. Please see our Records Management and Data Handling Policies available from the school office.

In accordance with the GDPR and Data Protection Acts, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

We comply with GDPR strict terms and conditions covering the confidentiality and handling of the data, security arrangements and use of the data.

Whilst on an educational visit; Trip leaders carry a paper copy of pupil data with them in order to provide immediate assistance to a pupil in the event of an accident/medical issue.

CCTV data is stored in line with the BLP CCTV Policy and PFI company's CCTV Policy (if relevant).

We have put in place appropriate security measures to prevent your child's personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your child's personal data securely when we no longer need it.

Who do we share pupil information with?

We routinely share pupil information with:

- Schools that the pupil attends after leaving us
- Your Local council and Leeds Local Authority
- UCAS
- BLP Governors and directors
- the Department for Education (DfE)
- The Brigshaw Learning Partnership schools/Trust
- School Nursing Service
- NHS services such as speech therapy, Test and Trace and A&E and equivalent medical providers abroad when on overseas trips
- Police forces, courts and tribunals
- Pupils' family and representative
- Educators and examining bodies
- Joint Council for Qualifications
- Selected partners to benefit educational attainment/provide a service which we have contracted them for
- The BLP auditors
- Local Safeguarding Boards
- Schools ICT and our IT suppliers such as ALAMO
- Software providers such as HCSS who provide budgeting software
- App providers such as Class Dojo to enable us to share educational data with families
- School photographers
- PFI company and Pinnacle (where the school buildings are owned by PFI) who hold CCTV images
- Temple Moor High school as part of our sixth form provision
- Youth Support Services (pupils aged 13+)
- Local council social care
- The press
- Kirklees Virtual School
- ID card suppliers
- STEM Learning, Ogden partnership and other providers enhancing teaching curriculum provision

- Sports coaches such as Leeds United Foundation and Premier Education
- Agency teaching staff
- Music and other coaches
- Software providers who provide software to improve the education or safety of our services eg we share medical information on Evolve educational visits software so that we can provide access to medical data on trips and asses trip staffing requirements.
- Charities and voluntary organisations

Why we share pupil information

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 share certain data with 3rd party suppliers such as software providers, music and sports coaches and teacher supply agencies who provide a service to us or our pupils. All our suppliers follow GDPR data processing regulations.

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.

We are required to share information about our pupils with our Local Authority (LA), the students LA and the Department for Education (DfE) under section 3 of The Education (Information about Individual Pupils) (England) Regulations 2013

Examination results may be published in the press following ICO guidance.

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Youth support services

What is different about 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 / 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. This right is transferred to the child / pupil once he/she reaches the age 16.

Our pupils aged 16+

We will also share certain information about pupils aged 16+ with our local authority, partner schools 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

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

DfE 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>.

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

For more information, follow the link below:

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

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

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>

Data sharing security

To be granted access to pupil information, organisations must comply with GDPR strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

We will not without your express consent provide your personal information to any third parties for the purpose of direct marketing.

What are your Rights?

Under data protection legislation, parents 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 Headteacher at your school.

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

You are also entitled to have your personal information:

- protected and kept secure.
- kept accurate and up to date.
- not used for purposes which are incompatible with those for which it was collected.
- kept only for as long as it is needed for the purpose for which it was collected (unless it must be kept as part of the historic record).

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with the headteacher or our Data Protection Officer: Mrs Wendy Harrington at DPO@brigshawtrust.com in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Your right to access your child's educational record

There's no automatic parental right of access to the educational record at a BLP trust school, but in most circumstances we will provide this. This applies as long as the pupil is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

To make a request, please contact the school office.

Resources & Further Information

- [General Data Protection Regulation](#)
- [Privacy and Electronic Communications Regulations 2003](#)
- [Privacy and Electronic Communications Regulations 2003 – The Guide](#)
- [Twitter Privacy Policy](#)
- [Facebook Privacy Policy](#)
- [Google Privacy Policy](#)
- [LinkedIn Privacy Policy](#)

Also see our Website Policy Page for:

- BLP Data Handling Policy
- BLP CCTV Policy
- BLP Freedom of Information Policy

Data Protection Officer

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer: Mrs Wendy Harrington at DPO@brigshawtrust.com

Brigshaw High School, Brigshaw Lane, Allerton Bywater, Castleford WF10 2HR Tel: 01132878900

Privacy Policy Changes

Although most changes are likely to be minor, the Brigshaw Learning Partnership may change its Privacy Policy from time to time, and in the Brigshaw Learning Partnership's sole discretion.

Brigshaw Learning Partnership (BLP)

Brigshaw learning Partnership is the data controller for your school. The BLP can be contacted at: Brigshaw High School, Brigshaw Lane, Allerton Bywater, Castleford, WF10 2HR Tel: 0113 2878900