

## **The Data Controller**

The Controller is Believe Academy Trust and we are committed to complying with the UK's Data Protection Law and the General Data Protection Regulation (GDPR) for the protection of Personal Data, as well as the principles of data security in the configuration of our services. We can be contacted at Registered office address Southwark Primary School, Park Lane, Old Basford, Nottingham, NG6 0DT.

If you have any questions about this Privacy Notice or how we use your Personal Data, please contact by using our email address [gdpr@believeacademytrust.net](mailto:gdpr@believeacademytrust.net).

## **What Data is being collected and processed?**

The purpose for processing your personal information is to allow us to administer your account with us and to provide the products and services you have requested from us. In order to enter into an agreement with Believe Academy Trust, we will collect, store and use elements of your Personal Data. The lawful basis for processing of this Personal Data is known as Contractual Basis and is necessary by Believe Academy Trust in order to administer your account and to provide the products and services you have requested from us.

You will be required to provide Personal Data, and this is a requirement to enter in to Contract. You are obliged to provide this data. Failure to provide this Personal Data may mean we will be unable to execute the contract and could result in termination of our services.

When engaging Believe Academy Trust you will usually need to disclose the following:

- Personal information (such as name, unique pupil number and address);
- Any relevant medical information;
- Special educational needs;
- Exclusions and behavioural information;
- Assessment information;
- 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).

We may monitor, record, store and use any telephone call, email or other electronic communications with you for training purposes so that we can check any instructions given to us and to improve the quality of our customer service.

We will also process your details through our internal systems to enable us to send you relevant communications. The lawful basis for processing this information internally will be Legitimate Interests. Any email communications we send will however comply with the Privacy and E-communications Regulation (PECR.)

## **How we use Pupil Information**

Why do we collect and use pupil information? We collect and use pupil information under the Education Act 1996. The General Data Protection Regulation (GDPR) took effect on 25<sup>th</sup> May 2018 including Article 6 'lawfulness of processing' and Article 9 'Processing of Special Categories of Personal Data'

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

## **We use Pupil data:**

- To support pupil learning;
- To monitor and report on pupil progress;
- To provide appropriate pastoral care;
- To assess the quality of our services;

- To comply with the law regarding data sharing.

If at any time we intend to further process your Personal Data for a reason not originally communicated, we shall provide you, prior to that processing taking place, all relevant information on the additional processing.

### **How long will the Data be stored for?**

Where possible, Believe Academy Trust will take steps to erase any Personal Data that is no longer necessary for the purposes for which it is collected or otherwise processed, or if you have withdrawn consent for its processing and retention. As a general rule, if you currently have a contract or intend to enter into a contract with Believe Academy Trust, we will store the data for a period of six years following a student's last entry, for compliance with our general legal obligations and for the exercise or defence of any legal claims.

### **Who do we share Pupil Information With?**

We routinely share pupil information with:

- Schools that the pupil's attend after leaving us;
- Our Local Authority;
- The department for Education (DfE);
- School Nurse.

### **Why we share Pupil Information**

We do not share information about our pupils with anyone with consent unless the law and our Policies allow us to do so.

We share pupil's 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.

### **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 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 <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 arrangement 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>

## **Subject Access Requests**

Under GDPR, you have the right to 'block' or request the deletion or removal of Personal Data to prevent further processing. This right to erasure is also known as 'the right to be forgotten'. Specific circumstances in which you can request the deletion or removal of Personal Data includes:

- Where the Personal Data is no longer necessary for the purposes for which it is collected or otherwise processed;
- Where you withdraw Consent;
- When you object to the processing and there is no overriding Legitimate Interest for continuing the processing, as well as the right to data portability;
- Where the Personal Data was unlawfully processed (i.e. otherwise in breach of GDPR);
- Where the Personal Data has to be erased in order to comply with a legal obligation;
- In case a deletion is not possible due to legal, statutory or contractual retention periods, or if it requires disproportionate efforts or prejudices your legitimate interests, the data will be blocked instead of deleted.

You also have the right to see what personal information we are processing. This can be requested by emailing our Data Protection Officer at [admin@believeacademytrust.net](mailto:admin@believeacademytrust.net). There will be no charge for this service. If, however, you log multiple requests, then there may be nominal charge which we will request to cover the administration of these request.

You may also request from us a copy of the Personal Data which has been processed through automated means This will be provided in a structured, commonly used, and machine-readable format (where technically feasible) which you may then transmit to another Controller. You have the right to request us to send this to another Controller on your behalf, but only if this is technically feasible for us to do so.

It's also in everyone's interest that any information we hold is accurate. If you believe that any information we're holding is incorrect or incomplete, email or write to us at the above address – we'll get it corrected right away.

### **Withdrawing Consent**

You have the right to withdraw your Consent for us to collect, process and store your data at any time. If you wish to withdraw your Consent then please confirm this in writing to our Data Protection Officer.

### **Right to Complain**

If you have a complaint about any aspect of Data Protection or if you feel your privacy has been breached by us, we would like to hear from you. To help us investigate and resolve your concerns as quickly as possible, please email our Data Protection Officer at [admin@believeacademytrust.net](mailto:admin@believeacademytrust.net).

If you are unhappy with the final response you have received from Believe Academy Trust, you have the right to complain to the Supervisory Authority, the Information Commissioner's Office (ICO) within three months of your last meaningful contact with us. You can call the ICO on 0303 123 1113 or by visiting their website: <https://ico.org.uk/>.

### **Links to other Third-Party websites**

Please note that this Privacy Notice only applies to Believe Academy Trust and we are not responsible for, and have no control over, information that is submitted to or collected by third parties, such as those where our website may provide links and banner advertisements to third party sites. Since we do not control these websites, you are responsible for reviewing and abiding by the Privacy Policies of those third-party sites to ensure they comply with the applicable Data Protection Regulations.

### **Changes to the Privacy Policy**

Due to any further development of our website, changes to Government Regulations or the implementation of new technologies, this Policy will be reviewed, and may change, from time to time. Believe Academy Trust reserves the right to change this Data Protection information at any time with effect for the future. The revised Policy will be posted to this page so that you are always aware of the information we collect, how we use it and under what circumstances we disclose it. We therefore recommend you read the current Data Protection information again from time to time.