



## **Privacy Notice – Red Kite Learning Trust pupils and their families**

Red Kite Learning Trust (RKLТ) is the Data Controller of the personal information you provide to us. This means RKLТ determines the purposes for which, and the way, any personal data relating to pupils and their families is to be processed. The Headteacher/Principal acts as a representative for the school about 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.

### **Data Protection Officer**

The Data Protection Officer is responsible for overseeing data protection within the school so if you do have any questions in this regard, please do contact them on the information below: -

Data Protection Officer: Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

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

Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)

Telephone: 0203 326 9174

Lead Contact: Craig Stilwell

### **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, RKLТ 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 RKLТ educational settings and how our websites work.

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

- 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, attainment, and curricular information (such as Key Stage 1 and GCSE performance)
- Medical information,
- special educational needs and disabilities information,

- Behaviour information (such as exclusions and alternative provision information)
- safeguarding information (such as child in need referral information)
- biometric data (such as fingerprint for lunch payments)
- next of kin information
- emergency contact information
- Admissions information
- photographs
- CCTV images captured in school
- transport to school information

**Within school we use pupil data:**

- a) to support pupil learning
- b) to safeguard pupils
- 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
- i) to administer admissions waiting lists
- j) to provide information to families about events and activities at the school
- k) to comply with the law regarding education
- l) to administer and protect public funds
- m) to have accurate medical information on each child (such as food allergies)
- n) to have emergency contacts for each child

**Most commonly, we process data where:**

- We need to comply with a legal obligation (K from the table above)
- We need it to perform an official task in the public interest (a-j above)
- We need it to perform a contract (l 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 (m and n 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 information**

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

- Section 537a and Section 29 of The Education Act 1996
- 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 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

### **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 most of the pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. 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.

### **Storing pupil data**

We follow legislation on how long we should hold pupil data in school. Please see our ICT Policy which includes details on records management and data handling practices.

In accordance with the GDPR, 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.

### **Who do we share pupil information with?**

We routinely share pupil information with:

- schools that the pupil attends after leaving us
- Your local authority
- UCAS
- RKLK Trustees and Governors
- the Department for Education (DfE)
- The Red Kite Learning Trust schools/Trust
- School Nursing Service
- NHS services and medical providers abroad when on overseas trips
- Police forces, courts, and tribunals
- Pupils' family and representative
- Educators and examining bodies
- Selected partners to benefit educational attainment/provide a service which we have contracted them for
- The RKLK auditors
- Youth Support Services (pupils aged 13+)

## **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 3<sup>rd</sup> party suppliers who provide a service to us. 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 and the Department of Health School Nursing Service.

## **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 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: [Find and explore data in the National Pupil Database - GOV.UK \(education.gov.uk\)](https://www.gov.uk/education/national-pupil-database)

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

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with the Headteacher/Principal or our Data Protection Officer, Craig Stillwell, email [dataservices@judicium.com](mailto:dataservices@judicium.com) in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Also see our Website Policy Page for:

- RKLIT ICT Policy
- RKLIT CCTV Policy
- RKLIT Data Protection Policy

### **Data Protection Officer**

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer:

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Telephone: 0203 326 9174

Lead Contact: Craig Stilwell

### **Privacy Policy Changes**

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

### **Red Kite Learning Trust (RKLIT)**

Red Kite Learning Trust is the data controller for your school. RKLIT can be contacted at:

Red Kite Learning Trust, Red Kite Office, Pannal Ash Road, Harrogate HG2 9PH, 01423 574410

### **Red Kite Learning Trust (RKLIT) September 2021**