



## Privacy notice for parents/carers

Under General Data Protection Regulations (GDPR) we are obliged to inform you of the information we hold on you and your child(ren), what we use it for, who we share it with and for how long we keep it. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data. This privacy notice aims to provide you with this information.

We, Lumen Learning Trust, are the 'data controller' for the purposes of data protection law.

As a public body we have appointed a Data Protection Officer (DPO), David Coy, [david.coy@london.anglican.org](mailto:david.coy@london.anglican.org). (see 'Contact us' below for more information).

## The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Personal information (such as name and unique pupil number)
- Contact details and preference (such as contact telephone numbers, email addresses, addresses)
- Assessment information (such as data scores, tracking and internal and external testing)
- Characteristics (such as ethnic background, religion, language, nationality, country of birth and eligibility for free school meals)
- Special educational needs information (such as EHCPs, statements, applications for support, care or support plans)
- Exclusion information
- Behavioural information
- Relevant medical information (such as NHS information, health checks, physical and mental health care, immunisation program and allergies).
- Attendance information (such as sessions attended, number of absences and absences reasons)
- Safeguarding information
- Photographs (for internal safeguarding & security purposes, school newsletters, media and promotional purposes).
- CCTV images

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

## Why we use this data

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research

- Comply with the law regarding data sharing

### **Our legal basis for using this data**

Our lawful basis for collecting and processing pupil information is defined under Article 6, and the following sub-paragraphs in the GDPR apply:

- (a) Data subject gives consent for one or more specific purposes.
- (c) Processing is necessary to comply with the legal obligations of the controller.
- (d) Processing is necessary to protect the vital interests of the data subject.
- (e) Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).
- (f) Processing is necessary for your legitimate interests or the legitimate interests of a third party.

Our lawful basis for collecting and processing pupil information is also further defined under Article 9, in that some of the information we process is deemed sensitive, or special, information and the following sub-paragraphs in the GDPR apply:

- (a) The data subject has given explicit consent.
- (b) It is necessary to fulfil the obligations of controller or of data subject.
- (c) It is necessary to protect the vital interests of the data subject.
- (d) Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions)
- (g) Reasons of public interest in the area of public health
- (i) It is in the public interest

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.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds, which justify our use of this data.

An example of how we use the information you provide is:

The submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under Section 537A of the Education Act 1996.

Putting the school census on a statutory basis:

- Means that schools do not need to obtain parental or pupil consent to the provision of information
- Ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils
- Helps to ensure that returns are completed by schools

### **Collecting this information**

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

We will endeavour to complete data updates on an annual basis.

### **How we store this data**

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our record retention schedule adheres to the guidelines set out by the Information and Records Society (IRMS). For timescales for specific documents, please go to <http://irms.org.uk/page/SchoolsToolkit>.

A hard copy of the guidelines can be requested from the school office if required.

## **Data sharing**

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required or necessary (and it complies with data protection law), we may share personal information about pupils with:

- Local authorities – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions. For Saxon Children’s Centre specifically we share information via the Surrey eStart software system.
- The pupil’s family and representatives - such as in the event of an emergency
- Educators and examining bodies - such as ensuring we adhere to examining regulations to guarantee the validity of such tests
- Our regulator [Ofsted] - such as during the course of a school inspection
- Suppliers and service providers – to enable them to provide the service we have contracted them for such as the provision of school meals
- Financial organisations - to enable them to provide the service we have contracted them for, such as our online payment providers
- Central and local government - such as determining pupil premium status and entitlement to free school meals
- Our auditors - to ensure we are compliant with relevant UK law
- Survey and research organisations - to enable them to provide the service we have contracted them for, such as school improvements
- Health authorities – to assist in ensuring the wellbeing of the student population in accordance with our responsibilities as educational establishment
- Security organisations - to enable them to provide the service we have contracted them for such as access control
- Health and social welfare organisations - to assist in ensuring the wellbeing of our student body in accordance with our responsibilities as educational establishment
- Professional advisers and consultants - to enable them to provide the service we have contracted them for such as building improvements/modifications
- Charities and voluntary organisations - to assist in the provision of extra curricular activities e.g. PTA led events.
- Police forces, courts, tribunals - to ensure we act in the public interest or fulfil a legal obligation

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.

## **National Pupil Database**

We are required by law to provide information about pupils to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research. The law that allows this is the Education (Information about Individual Pupils) (England) Regulations 2013.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data. Decisions on whether the 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>

### **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.

### **Parents and pupils' rights regarding personal data**

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our Data Manager (details shown in Contact Us section below).

## Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Manager.

## Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer via [david.coy@london.anglican.org](mailto:david.coy@london.anglican.org).

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Manager.

Email: [datamanager@lumenlearningtrust.co.uk](mailto:datamanager@lumenlearningtrust.co.uk)

Tel: 01932 571217