



Cabot
Learning
Federation

Empowering Learning

Cabot Learning Federation - Student and Parent/Carer Privacy Notice

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Rolls-Royce

Accredited NPQ provider



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1. Introduction

This notice is to help you understand **how** and **why** Cabot Learning Federation (CLF) collect student and parent/carer personal information and **what** we do with that information. It also explains the decisions that you can make in respect of the personal information we hold about you.

We refer to all academies within CLF as the **Academy** in this notice. CLF operates the Academy and is ultimately accountable for how personal information about students and parents/carers is handled.

Parents/carers of students under the age of 12 are able to exercise their child's data protection rights on their behalf. Usually when students reach the age of 12 they will be considered mature enough to exercise their own data protection rights.

2. What is "personal information"?

Personal information is information that the Academy holds about individuals (e.g. students and parents/carers) and which identifies them.

Examples of the main categories of personal information that we collect, hold and share securely include:

- personal identifiers and contact details (e.g. name, unique pupil number, parent/carer name(s), home address, phone numbers and email addresses);
- personal characteristics (e.g. ethnicity, religion and free school meal eligibility);
- attendance information (e.g. lessons attended, number of absences, absence reasons and any previous schools attended);
- assessment and attainment details (e.g. key stage 1 and phonics results, exams entered and results and post 16 courses enrolled for);
- participation in school trips and visits;
- behavioural information (e.g. exclusions and any relevant alternative provision put in place);
- financial information (e.g. bank account details to pay for school meals or to buy things from the academy such as tickets for an event);
- safeguarding information (e.g. concerns raised by staff, court orders and professional involvement);
- special education needs (SEN) Information (e.g. specific needs and ranking);
- physical or mental health information (e.g. doctors' information, health details, allergies, medication, dietary requirements and administration of pandemic testing);
- biometric data (e.g. fingerprints for catering payment purposes);
- photographs, videos and CCTV images.

3. Lawful bases for using student and parent/carer information

This section contains details about the legal bases we are relying on when handling student and parent/carer personal information.

The tables below contain general descriptions of the different lawful bases available, but we have also used a colour code system so that you can easily identify which basis we are relying on for each of the purposes described.

Legal obligation ("LO")

The Academy might need to use personal information in order to comply with a legal obligation, for example to report a concern about wellbeing to Children's Services. We will also have to disclose information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Necessary for contract ("CT")

We will need to use personal information in order to perform our obligations under any contract we have with you, for example, if you buy tickets for an event.

Vital interests ("VI")

In limited circumstances we may use personal information to protect an individual's vital interests or the vital interests of someone else (e.g. if they are seriously hurt and in life and death situations).

Performance of a task carried out in the public interest ("PI")

This lawful basis applies where what we are doing is for the benefit of the public generally. The following are examples of where this applies:

- providing students and others with an education;
- safeguarding and promoting student welfare and the welfare of their classmates; and
- facilitating the efficient operation of the Academy.

Legitimate interests ("LI")

This means that the Academy is using personal information when this is necessary for the Academy's legitimate interests except when a student's or parent/carer's interests and fundamental rights override our legitimate interests.

We have a legitimate interest in using student's information to:

- i. promote the Academy including fundraising and publicity;
- ii. preserve historical school records.

The Academy must also comply with an additional condition where it processes special categories of personal information. These special categories are: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or sexual orientation.

Information relating to criminal allegations, proceedings or convictions are not classified as special category personal data, but are subject to similar processing restrictions.

Substantial public interest ("SP")

The Academy is allowed to use special category personal information where doing so is necessary in the substantial public interest. This is similar to "public interest" in the table above. For example, the Academy will use information about a student's health to look after them. We may also use other types of special category personal data to provide an education, to look after a student's classmates or when the Academy is inspected.

Public Interest in the area of public health ("PH")

As part of the governments approach to pandemic testing, the Academy needs to process special category personal data about students, whether they undertake a test or not. This information is processed under the obligations set out in Public Health legislation (Regulations 3(1) and (4) of the Health Service (Control of Patient Information) Regulations 2002 (COPI)) which allows the sharing of personal information for COVID-19 related purposes and where it is carried out by a health care professional OR someone who owes an equivalent duty of confidentiality to that information.

Social protection and social security law ("ESP")

There will be times when the Academy needs to use a student's special category personal data because we are an employer (e.g. we employ our student's teachers). The Academy will also use personal information to comply with social protection law (e.g. to look after students) and social security laws (e.g. to provide students with free school meals if they are entitled to these). Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

Vital interests ("VI")

In limited circumstances we may use special category personal data to protect an individual's vital interests or the vital interests of someone else (e.g. if they are seriously hurt or in life and death situations).

Legal claims ("LC")

We are allowed to use special category personal data if this is necessary in relation to legal claims. For example, this allows us to share information with our legal advisors and insurers.

Medical purposes("MP")

We are able to use special category personal data to administer medical treatment and for the management of healthcare services.

4. How and why does the Academy collect and use student and parent/carer information?

We set out below examples of the different ways in which we use personal information and where this personal information comes from. The letters highlighted in different colours below refer to the legal bases we are relying on.

1. Our primary reason for using personal information is to provide students with an education - **LO**, **PI**, **SP**.
2. The CLF will also use student's personal information to safeguard and promote their welfare and the welfare of others (for example, so that we can look after a student if they are injured) - **LO**, **PI**, **SP**, **ESP**, **MP**.
3. Admissions forms provide us with personal information. We get information from parents/carers, a student's teachers and other students. A student's old school also gives us information so that we can teach and care for them.
4. Sometimes we get information from a student's doctor and other professionals where we need this to look after them.
5. We will use information about students during the admissions process e.g. when taking information from parents/carers before they join the CLF. We may let a student's previous school know if they have been offered a place at the Academy - **LO**, **PI**, **SP**.

6. We use information about any family circumstances which might affect a student's welfare or happiness. This is to help us provide appropriate care and support to students - LO, PI, SPI, ESP.
7. We need to tell all appropriate members of staff if a student has a health issue - LO, PI, SPI.
8. If we have information that a student suffers from an allergy, medical condition or disability we will use this information so that we can look after them and provide them with support - LO, PI, SPI, VI, ESP, MP.
9. We will tell a student's teachers if they have special educational needs or require extra help with some tasks - LO, PI, SPI.
10. We will need to share information about a student's physical and mental health and wellbeing with the academy nurse or counsellor - LO, PI, SPI, ESP, MP.
11. Where appropriate, the Academy will have information about a student's religious beliefs and practices. For example, if they do not eat certain foods - LO, PI, SPI.
12. We use CCTV to make sure the Academy site is safe. CCTV is not used in private areas such as changing rooms - LO, PI, SPI.
13. We will be told if a student is eligible to receive free school meals so that we can provide these - LO, PI, SPI.
14. We record attendance details and if a student has time away from the Academy we record the reason(s) why - LO, PI, SPI.
15. We will need to report some student information to the government (e.g. the Department for Education). We will also need to tell the local authority what students attend the Academy, if they leave the Academy or if we have any concerns about their welfare - LO, PI, SPI, ESP.
16. We are legally required to provide the Department for Education with certain information about students. Some of this information will be stored on the National Pupil Database. Organisations can request information from the National Pupil Database which includes information about students. But they are only allowed to do this for limited purposes and they must be very careful about how they use a student's information. More information can be found here - <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information> - LO, PI, SPI.
17. We may need to share information about students or parents/carers with the Health and Safety Executive (a government organisation) if there is a health and safety issue at the Academy - LO, PI, SPI.
18. If the Academy receives a complaint or grievance which involves a student or parent/carer, we will need to use their information to investigate and deal with this appropriately - LO, PI, SPI.
19. We will need information about any court orders or criminal petitions which relate to students and parents/carers. This is so that we can safeguard the welfare and wellbeing of students at the Academy - LO, PI, SPI.
20. Depending on where a student goes when they leave us we will provide their information to other schools, colleges and universities, the Universities and Colleges Admissions Service (UCAS) or potential employers. For example, we may share information about a student's exam results and provide references - LO, PI, SPI.
21. We may pass information to a student's next school which they need to look after them, for example, we will share a safeguarding file where we have concerns about their welfare as well as parent/carer contact details - LO, PI, SPI, ESP.

22. If a student takes public examinations (e.g. GCSEs) we will need to share information about them with examination boards. For example, if they require extra time in exams - **LO, PI, SPI**.
23. We may need to share student or parent/carer information with the police for the prevention or detection of crime and the apprehension or prosecution of offenders. We will only do this in specific circumstance and where the law allows. For example, if a student has misbehaved in a serious way and the police have become involved - **LO, PI, SPI, LC, ESP**.
24. We may need to share student or parent/carer information with our legal advisers for the purpose of obtaining legal advice and legal representation. We will only do this in specific circumstance and where the law allows. For example, if a student has misbehaved in a serious way and the police have become involved - **LO, PI, SPI, LC, ESP**.
25. We use consultants, experts and other advisors to assist the Academy in fulfilling its obligations and to help run the Academy properly (e.g. accountants). We will share information with them if this is relevant to their work – **LI, LO, PI, SPI**.
26. We may share some student or parent/carer information with our insurance company to make sure that we have the insurance cover that we need or where there is a serious incident at the Academy - **LO, PI, SPI, LC**.
27. We may use student or parent/carer information when responding to an incident, for example, if something is published on social media which concerns the Academy - **PI, LI**.
28. We may share parent/carer information with other people who look after their children, such as a co-parent/carer or step-parent. For example, where this is part of our obligation to take care of a student or part of our wider legal and regulatory obligations - **LO, PI, SPI, ESP**.
29. We will share a student's academic and (where fair) their behaviour records with parents/carers so they can support us with their schooling - **LO, PI, SPI**.
30. We will monitor student's use of email, the internet and mobile electronic devices e.g. school iPads. This monitoring is sometimes carried out using computer software. In certain circumstances we will look at the content of communications (e.g. emails and text messages). This is to check that students are not misbehaving when using this technology or putting themselves or others at risk of harm. - **LO, PI, SPI**.
31. We may use student and parent/carer information for research or historical purposes. For example, if we consider the information might be useful for gaining fresh insights into education or if someone wanted to write a book about the history of the Academy - **LI**.
32. We may use photographs or videos of students and parents/carers (e.g. at CLF events) for the Academy's website, social media sites, in prospectus, to show prospective students what we do here and to advertise the Academy. We will continue to use these photographs and videos after students leave the Academy. We may also use a photograph for security purposes and in an emergency - **LI**.
33. Sometimes we use photographs and videos for teaching purposes, for example, to record a drama lesson or as part of an art lesson – **PI, LI**.
Any concerns about us using student photographs or videos in this way should be directed to Academy staff.
34. We will send parents/carers information to keep them up to date with what is happening at the CLF. For example, by sending information about events and activities taking place (including fundraising events) and newsletters - **LI**.
35. We publish our public exam results, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing - **LI**.

36. The Learning Records Service (which is part of the government) will give us a student's unique learning number. We may also receive details about students (e.g. qualifications) from the Learning Records Service - **LO, PI, SPI, ESP**.
37. We will provide student information to the local authority so that they can provide careers advice. We may also share information with our careers management software provider to help us monitor our strategic careers plan and meet government reporting needs, independent careers advisors, organisations providing work experience opportunities and the provider of youth support services - **LI, LO, PI, SPI**.
38. The Academy is sometimes inspected (e.g. OFSTED) to make sure that we are continuing to be a good school. We will have to make student information available to the inspectors to help them carry out their job - **LI, LO, PI, SPI**.
39. If someone makes a complaint about how the Academy has behaved we may need to use student or parent/carer information to deal with this appropriately. For example, if parents/carers complain that we have not looked after a student properly - **LO, PI, SPI**.
40. We will keep details of a student's address when they leave so we can keep in touch and find out how they are getting on - **LI**.
41. The Academy must make sure that its computer network is working well and is secure. This may involve information about students, for example, the anti-virus software might scan files containing information about students - **LO, PI, SPI**.
42. We may share information about students and parents/carers with the other academies in the CLF. For example, details of family circumstances, how well a student has behaved at the Academy or their test results - **LO, PI, SPI**.
43. We may need to share information with suppliers for example, school milk providers or Information Technology support services. We will only share information with other people and organisations when we have a legal basis to do so - **LO, PI, SPI**.
44. We may hold financial information (e.g. bank account or credit card details) about students or parents/carers. For example, to pay for school meals, to buy tickets to an event, payment for school trips and to purchase sportswear – **CI, LI**.
45. We sometimes use contractors to handle personal information on our behalf. The following are examples:
 - educational consultants who might access information about students when reviewing the performance of the academy; and
 - cloud computing service providers who store or host information for us rather than the information being stored on hard drives located on the Academy site - **LO, PI, SPI**.
46. We may use student information, including special category personal data, to undertake pandemic testing, in line with government requirements - **LO, PH, SPI, MP**.
47. We may need to share information with third parties if there is an emergency, for example, if a student or parent/carer is seriously hurt on our premises – **VI, PI, SPI, MP**.

If you have any questions about the above, please contact us by any convenient means.

5. Criminal offence information

In exceptional circumstances, we may use information about criminal convictions or offences. We will only do this where the law allows us to. This will usually be where such processing is necessary to carry out our obligations and to look after our students and staff.

6. More than one basis

As you will see from the information above, in some cases we will rely on more than one basis for a particular use of personal information. In addition, we may move from one of the legal bases listed above to another as circumstances change. For example, as a safeguarding matter becomes more serious, we may start to rely on legal obligation to share personal information with the local authority in addition to the other legal bases which are noted for safeguarding purposes.

7. Consent

We may ask for consent to use personal information in certain ways as an alternative to relying on any of the bases set out above. For example, we may ask for consent before taking or using some photographs and videos if the photograph or video is more intrusive and we cannot rely on our legitimate interests or processing being in the Public Interest. If we ask for consent to use personal information this can be revoked at any time.

Any use of student's information before consent is withdrawn remains valid. Please contact us by any convenient means if you would like to withdraw any consent given.

8. Sending information to other countries

We may send personal information to countries which do not have the same level of protection for personal information as there is in the UK. For example, we may:

- store student's information on cloud computer storage based overseas; or
- use software providers who host their service overseas.

Following the UK's exit from the European Union, UK data protection laws permit the transfer of personal information from the UK to the European Economic Area (EEA) and to any countries which, as at 31 December 2020, were covered by a European Commission 'adequacy decision'. The European Commission list of countries which have adequate data protection rules can be found here - http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm.

If the country that we are sending personal information to is not on the list, or is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland), then it might not have the same level of protection for personal information as there is in the UK.

Where we do transfer personal information outside the UK and EEA we will make sure that it is protected to the same extent as in the UK. We'll put in place a contract with the recipient that means they must protect it to the same standards as the UK.

9. How long do we keep student and parent/carers information?

We keep personal information for as long as we need to in order to educate and look after students. We will keep certain information after a student has left the Academy, for example, so that we can manage complaints or to comply with our legal obligations.

In exceptional circumstances we may keep personal information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under data protection laws.

Please see our Information and Records Retention Policy for more detailed information. This can be found on our website here - <https://clf.uk/governance/policies/>.

10. What decisions can students and parents/carers make about their information?

Students and their parents/carers have a number of important rights regarding their information:

- **Rectification:** if information we hold is incorrect you can ask us to correct it.
- **Access:** you can ask what information we hold about you and be provided with a copy. This is commonly known as making a subject access request. We will also provide extra information, such as why we use personal information, where it came from and what types of people or organisations we have shared it with.
- **Deletion:** in certain circumstances you can ask us to delete the personal information that we hold about you. For example, where we no longer need the information.
- **Portability:** in certain circumstances you can request the transfer of personal information to you or to a third party in a format that can be read by computer.
- **Restriction:** in certain circumstances our use of personal information may be restricted to simply storing it. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.
- **Object:** you may object to us using personal information where:
 - we are using it for direct marketing purposes (e.g. to send an Academy magazine);
 - the legal basis on which we are relying is either legitimate interests or performance of a task carried out in the Public Interest. Please see the section " Lawful bases for using student and parent/carer information" above;
 - we are using it for historical or scientific research purposes or archiving purposes.

Further detailed information about data protection rights can be found on the Information Commissioners website here - <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>.

To exercise any of the above rights you can submit a request, by any convenient means, but in particular by email to dataprotection@clf.uk, in writing to The Data Protection Officer, Federation House, King's Oak Academy, Brook Road, Bristol BS15 4JT or by making a request directly to the Academy.

11. Data Protection Officer

The CLF has appointed a Data Protection Officer, with overall responsibility for data protection matters. The Data Protection Officer can be contacted at dataprotection@clf.uk, in writing to The Data Protection Officer, Federation House, King's Oak Academy, Brook Road, Bristol BS15 4JT or by making a request directly to the Academy.

12. Further information and guidance

This notice is to explain how we look after student and parent/carer personal information. Please contact us by any convenient means if:

- you would like us to update the information we hold about you;
- you would like to exercise any of your rights listed above; or
- you have any further questions about our approach to managing personal information.

If you consider that we have not acted properly when using your personal information, you can complain to us by any convenient means. You are also able to complain to the Information Commissioner's Office via their website - <https://ico.org.uk/make-a-complaint/>.