



John Milton Academy Trust



Privacy Notice – Pupils (also provided to parents and carers)

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John Milton Academy Trust

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Company Number: 10298832

website: www.johnmiltonacademytrust.co.uk

This document might be difficult for you to understand. You can ask your parents or another adult such as your teacher to help you understand it.

It is about how we use information about you and what we do with it. We call this information about 'personal data' or 'personal information'.

1. Introduction

You already know that your school is part of the **John Milton Academy Trust**, but we have to tell you that the Trust is the organization which is in charge of your personal information. This means that the Trust is called the Data Controller for the purposes of data protection law.

You have a legal right to be informed about how the Trust uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This notice explains how we collect, store and use personal data about **pupils at our school**, like you.

The postal address of the Trust is: John Milton Academy Trust, JMAT Centre, Church Road, Stowupland, Suffolk, IP14 4BQ, and the telephone number is: 01449 742422.

If you want to contact us about your personal information please see the Contact Us section on page 8.

In this notice, 'we' and 'us' means the John Milton Academy Trust. 'You', 'data subject' and 'pupils' includes children at a school, those who have applied but not yet joined a school and former pupils who attended a school in the Trust.

2. The personal data we hold

We hold some personal information about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too – like other schools, the local council and the government.

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

- Personal identifiers and contact details (such as name, unique pupil number, address and contact details of parents/carers)
- Characteristics (such as ethnicity and language)
- Safeguarding information (such as court orders and professional involvement)
- Special Educational Needs (including the needs and ranking)
- Medical and administration (such as doctors' information, child health, dental health, allergies, medication and dietary requirements)
- Attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment and attainment (such as test results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Information about free school meal and pupil premium eligibility
- Information for catering management purposes (e.g. whether you have school dinners and how often)
- Information about biometric recognition systems (such as cashless catering)

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to:

- Information about your characteristics, like your ethnic background, religious beliefs or disability status
- Information about any medical conditions you have
- Photographs and CCTV images

3. Why we use this data

The personal data collected is essential for us to fulfil our official functions and meet legal requirements. We use the data listed above to:

- a) Get in touch with you and your parents when we need to
- b) Check how you're doing in exams and work out whether you or your teachers need any extra help
- c) Track how well the school as a whole is performing
- d) Look after your wellbeing

3.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you messages by email or text promoting school events, campaigns, charitable causes or services that you might be interested in.

You can take back this consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

3.2 Use of your personal data in automated decision making and profiling

We don't currently put your personal information through any automated decision making or profiling process. This means we don't make decisions about you using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

4. Our lawful basis for using this data

We will only collect and use your information when the law allows us to. We need to establish a 'lawful basis' to do this.

Our lawful bases for processing your personal information for the reasons listed in section 3 above are:

- For the purposes of b), c) and d) from section 3 above, in accordance with the 'public task' basis – collecting the data is necessary to perform tasks that we are required to carry out as part of our statutory function
- For the purposes of c) from section 3 above, in accordance with the 'legal obligation' basis – we need to process data to meet our statutory duties under law as set out here:
 - Section 537A of the Education Act 1996
 - the Education Act 1996 s29(3)
 - the Education (School Performance Information) (England) Regulations 2007
 - regulations 5 and 8 School Information (England) Regulations 2008
 - the Education (Pupil Registration) (England) (Amendment) Regulations 2013

- For the purposes of a), and c) from section 3 above, in accordance with the ‘consent’ basis – we will obtain consent from you to use your personal data, such as publicising an achievement you have made
- For the purposes of a) and d) from section 3 above, in accordance with the ‘vital interests’ basis – we will use this personal data to keep children safe

Where you’ve provided us with consent to use your information, you may take back this consent at any time. We’ll make this clear when requesting your consent, and explain how you’d go about withdrawing consent if you want to.

4.1 Our basis for using special category data

For ‘special category’ data (more sensitive personal information), 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 information in a certain way
- We need to use your information under employment, social security or social protection law
- We need to protect an individual’s vital interests (i.e. protect your life or someone else’s life), in situations where you’re physically or legally incapable of giving consent
- The information has already been made obviously public by you
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation
- We need to use it for health or social care purposes, and it’s used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for public health reasons, and it’s used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use 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 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 obviously public by you
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

5. Collecting this data

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

Whenever we want to collect information from you, we make it clear if you have to give us this information (and if so, what the possible consequences are of not doing that), or if you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local councils
- Government departments or agencies
- Police forces, courts, tribunals
- Your previous school or education provider

6. How we store this data

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

We keep personal information about you while you're attending our school. Most of the information we have about you will be in your personal file. We usually keep these until your 25th birthday unless you move to another school, in which case we send your file to your new school. Our record retention schedule sets out how long we keep information about pupils.

A copy of our record retention schedule is available from your school or on the Trust website:

www.johnmiltonacademytrust.co.uk

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

7. Who we share data with

We don't share information about you with any third party without your consent unless the law and our policies allow us to do so.

Once our pupils reach the age of 13, the law requires us to pass on certain information to the provider of youth support services in their area. This will be your local authority. They have responsibilities in relation to the education or training of 13-19 year olds. We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers in order to secure appropriate services for them. A parent / carer can request that only their child's name, address and date of birth be passed to the provider of youth support services in their area by informing the office at their child's school. This right is transferred to the child once they reach the age of 16. For more information about services for young people, please go to your local authority's website.

We are required to share information about our pupils with the Department for Education (DfE) either directly or via the local authority for the purpose of data collections, under:

- Section 537A of the Education Act 1996
- the Education Act 1996 s29(3)
- the Education (School Performance Information) (England) Regulations 2007
- regulations 5 and 8 School Information (England) Regulations 2008
- the Education (Pupil Registration) (England) (Amendment) Regulations 2013

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current government security policy framework.

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>.

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England

- other government departments and agencies
- organisations fighting or identifying crime

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>

National Pupil Database

We have to provide information about you to the Department for Education (a government department) as part of data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#), which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

The Department for Education may share information from the database with other organisations, such as organisations that promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use your data.

You can find more information about this on the Department for Education's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) if you have any questions about the database.

We will also normally give information about you to your parents or your main carer. Where appropriate, we will listen to your views first. We will also take family circumstances into account, in particular where a court has decided what information a parent is allowed to have.

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

- Your new school if you move schools
- Our local authority Suffolk County Council – to ensure they can conduct their statutory duties under the School Admissions Code, including Fair Access Panels
- Government departments or agencies
- Our youth support services provider (Suffolk County Council)
- Suppliers and service providers, e.g catering provider
- Health and social welfare organisations (such as School Nurse, CAMHS – Child and Adolescent Mental Health Service)
- Professional advisers and consultants (such as special educational needs or disabilities support)
- Charities and voluntary organisations
- Police forces, courts, tribunals

7.1 Transferring data internationally

Where we transfer your personal data to a country or territory outside the European Economic Area, we will follow data protection law.

In cases where we have safeguarding arrangements in place, you can get a copy of these arrangements by contacting us.

8. Your rights

8.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (unless there's a really good reason why we shouldn't):

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you
- 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 (decisions made by a computer or machine, rather than by a person), and any consequences of this
- Give you a copy of the information in an understandable form

You may also have the right for your personal information to be shared with another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

8.2 Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal information is used and kept safe. For example, you have the right to:

- Say that you don't want your personal information to be used
- Stop it being used to send you marketing materials
- Say that you don't want it to be used for automated decisions (decisions made by a computer or machine, rather than by a person)
- In some cases, have it corrected if it's inaccurate
- In some cases, have it deleted or destroyed, or restrict its use
- In some cases, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation if the data protection rules are broken and this harms you in some way

To exercise any of these rights, please contact us (see 'Contact us' below).

9. 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 concerns about our data processing, please let us know first.

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

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113

- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

10. Contact us

Our data protection officer is: Schools' Choice, data.protection@schoolschoice.org

However, our **data protection leads** have day-to-day responsibility for data protection issues in our Trust and schools.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them:

- Bacton Primary School – Mrs Simonds on: admin@bacton-pri.suffolk.sch.uk
- Cedars Park Primary School – Mrs Knights on: admin@cedarspark.suffolk.sch.uk
- Mendlesham Primary School – Mrs Cracknell on: admin@mendleshamschool.org.uk
- Stowupland High School – Mr Dick on: enquiries@stowuplandhighschool.co.uk
- JMAT – Mrs Hooper on: enquiries@johnmiltonacademytrust.co.uk

All policies and procedures are available from John Milton Academy Trust (JMAT) School Offices, along with the JMAT Privacy Notices and Record Retention Policy, which provide specific details in accordance with the GDPR principles.