



THE
**CREATIVE
LEARNING**
PARTNERSHIP TRUST

Privacy Notice for Pupils, Parents & Carers 2022-23

Approved by: Chair of Trustees
Chief Executive Officer

Date: 14 July 2022

Next review due by: Summer Term 2023

This privacy notice applies to all schools within The Creative Learning Partnership Trust:

- **Hempstalls Primary School**
- **James Bateman Middle School**
- **Langdale Primary School**
- **Manor Hill First School**
- **Parkside Primary School**
- **Thursfield Primary School**
- **Greenhall School**

Under data protection law, individuals have a right to be informed about how the Trust uses any personal data that we hold about them. 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 explains how we collect, store and use personal data about **pupils**.

We, The Creative Learning Partnership Trust, c/o Hempstalls Primary School, Collard Avenue, Newcastle, Staffs, ST5 9LH, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Natalie Morrissey, Staffordshire County Council (see '*Contact Us*' below)

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:

- Contact details, contact preferences, date of birth, identification documents, parental responsibility information, national insurance numbers as and when required
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information / Child Protection information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school/ on school premises
- Court orders / legal documents

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

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

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 (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.

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.

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.

How we store this data

We keep personal information about pupils while they are attending a school within the Trust. We may also keep it beyond their attendance at school if this is necessary in order to comply with our legal obligations. The [Information and Records Management Society's toolkit for schools](#) sets out how long we keep information about pupils.

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:

- *Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions, information for 2 and 3 year old funding*
- *The Department for Education – census information*
- *The pupil's family and representatives – only with parents or representatives with parental responsibility unless parents have specified otherwise.*
- *Educators and examining bodies – to meet our legal obligations*
- *Our regulator - Ofsted*
- *Suppliers and service providers – to enable them to provide the service we have contracted them for*
- *Financial organisations – Parentpay*
- *Central and local government – to meet legal obligations in respect of statutory returns*
- *Our auditors – to meet the legal obligations of a multi academy trust*
- *Survey and research organisations*
- *Health authorities*
- *Security organisations*
- *Health and social welfare organisations*

- *Professional advisers and consultants*
- *Charities and voluntary organisations – where we have sought parental consent for them to work with your child*
- *Police forces, courts, tribunals*

National Pupil Database

We are required 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 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.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

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.

Your information rights

You have the following rights in relation to your personal data:

The right of access

Individuals have a right to make a '**subject access request**' to gain access to personal information that the Trust 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 (usually under the age of 12), or where the child has provided consent.

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

We have to provide a copy of your information to you free of charge, within 1 month. We can extend the deadline if your request is complex. We have to let you know if the deadline is to be extended within 1 month if this is the case.

Information is provided free of charge unless you request further copies of information we have already provided to you. However, we are permitted to charge a reasonable fee or refuse your request if it is manifestly unfounded or excessive. Any fee will be based on the administrative cost of providing the information to you.

The right of rectification

If you feel that any data that we hold about you is factually inaccurate, you have the right to ask us to correct or rectify it. In order for us to review your request you must provide evidence of the alleged inaccuracy.

The right of erasure

You have a right to ask us to erase information about you. This right will only apply where:

- The personal data is no longer necessary for the purpose which we originally collected it for
- We are relying on consent as the lawful basis for holding the data and you withdraw that consent
- We are processing the data for direct marketing purposes and you object to that processing

Most of the processing carried out by the Trust is governed by legislation, which usually includes how long we have to keep your information for. The right of erasure won't apply where we have a lawful reason to process your data and it is kept in accordance with policies in our [retention and disposal schedule](#).

The right to erasure also does not apply to information which is being processed in accordance with a 'public task'. This means where we are carrying out a specific task in the public interest, which is laid down by law or exercising official authority. This includes, for example, information being processed for Educational, Health and Social Care purposes.

Your right of rectification and erasure extends to anyone we have disclosed your personal information to. We will take reasonable steps, where it is practicable for us to do so, to inform organisations with whom we have shared your information that you have made a request for erasure.

The right to restrict processing

You have the right to ask us to restrict processing of your personal data in the following circumstances:

If you contest the accuracy of your personal information and we need to verify its accuracy
If we have unlawfully processed your information and you do not want us to erase the data
If we no longer need your information but you need to keep it in order to establish, exercise or defend a legal claim
You have objected to us processing your information and we are considering whether we have legitimate grounds to continue to process it

This right to restrict processing is closely linked but is distinctly different from the right to rectification and the right to object. As a matter of good practice we may automatically restrict processing of your personal information while we consider its accuracy or the legitimacy of processing it.

The right to data portability

You have a right to receive personal data that you have provided to us in order to transfer it onto another data controller. This right only applies where the processing is based on consent and is carried out by automated means. This is called a data portability request.

The right to object

You have the right to object to our processing your personal information where our lawful basis for processing is based on the performance of a 'public task' carried out in the public interest or exercise of official authority.

You have the right to withdraw your consent to our processing your personal information if our lawful basis for processing is 'consent'.

You also have the right to object to processing for the purpose of direct marketing. You can opt-out of receiving marketing communications from us at any time. You can do this by clicking on the 'unsubscribe' or 'opt-out' link in marketing emails we send to you. If you wish to opt-out of other forms of marketing such as postal or telephone marketing contact us using the addresses or telephone number below.

If we are processing your personal information for scientific or historical research, or statistical purposes your right to object is more limited.

The right of complaint or to raise a concern

You have the right to [raise a concern or make a complaint](#) about how we handle (process) your personal information or if you are not satisfied with how we have dealt with a request.

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 the Trust's Chief Operating Officer.

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, in the first instance, please contact the Trust's Chief Operating Officer.

The Data Protection Officer acting for the Trust is:

Natalie Morrissey
Staffordshire County Council
Staffordshire Place 1
Stafford, Staffordshire
ST16 2DH
Telephone: 01785 278109

Email: dpo@staffordshire.gov.uk

This notice is based on the [Department for Education's model privacy notice](#) for pupils, amended for parents and to reflect the way we use data in this Trust.