

Ascend Learning Trust

## Data Privacy Notice

Policy Owner:	Secondary Education Director
Date of issue:	November 2024
Policy Level:	Tier 1
Approved by:	Standards Committee
Next Review:	November 2027

If you are reading a printed version of this document, you should check to ensure you have the most up-to-date version.

If you would like to discuss anything in this privacy notice, please contact:

Data Protection Officer: Data Protection Education Ltd.  
Telephone: 0800 0862018  
Email: [dpo@dataprotection.education](mailto:dpo@dataprotection.education)

If you would like a copy of any documentation, please contact the Ascend Learning Trust on:

Telephone: 01793 781485  
Email: [info@ascendlearningtrust.org.uk](mailto:info@ascendlearningtrust.org.uk)

## Version Control

Version	Author	Date	Approved by	Effective from
1.0 template	DPE - JE	1/5/2018		
1.3 update	DPE – JE QA - TK	24/5/2018 1/6/2018		
1.5 update	DPE – JE	2/10/2020		
2.0 update	DPE – JE	08/12/2020		
3.0	DPE – JE	12-10-2022		
3.1 Update	JE	28-06-23		

## Related Policies

- Ascend Acceptable Use Policy
- Data Breach Procedure
- Subject Access Request Procedure
- Ascend Records and Data Management Policy
- Ascend Artificial Intelligence Policy
- Ascend Email Policy
- Ascend Cyber Security Policy
- Ascend Online Safety Policy
- Ascend Privacy Notice

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## Purpose

Ascend Learning Trust is a data controller and this document describes the data that is collected and how it is processed to data subjects. As data controller, we are responsible for deciding what data is collected and how it is processed.

Under the Data Protection Act 2018 and the UK General Data Protection Regulations (GDPR), we must abide by the principle of transparency and the right of data subjects to be informed about how their data is processed.

This document provides such information. It will be updated from time to time, and updates will be communicated to the relevant data subjects.

It is your duty to inform us of changes.

## Categories of data subject, the data we collect and why we use this data

Whilst the majority of personal information you provide to us is mandatory, some of it may be requested on a voluntary basis. In order to comply with UK-GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us, or if you have a choice in this.

The categories of other information that we collect, hold and share include:

### Parent or Carers information

Parents or carers information is collected so that:

- We can communicate with you about your child in relation to things such as education and attainment, health and well-being, attendance and behaviour and emergencies (task in a public interest or legal obligation)
- Send you important information about the school (task in a public interest)
- Provide you with access to tools and services we used in schools such as parent payment systems and/or communication applications (task in a public interest or to fulfil a contract)

Data collected includes:

- Name
- Address
- Contact information
- Relationship to the child
- Involvement with volunteer groups or parents' association

Where you have given us consent to do so we may send you marketing information via text or email promoting school events, campaigns or services that may be of interest to you. You can withdraw consent or opt-out of receiving these emails by contacting us using the information on the front page of this policy.

## Visitor information

Parents or carers information is collected so that:

- We have a record of who is and has been in the building for health, safety and operational purposes (legal obligation)
- We have a record of official visits, such as inspections or maintenance (task in a public interest)
- Where needed, Disclosure and barring service checks may take place and the we can meet our obligations under statutory guidance such as Keeping Children Safe in Education.
- In order to verify your identity whilst moving around the site

Data collected includes:

- Name
- Associated business
- Purpose of visit
- Email Address
- Car Registration
- Driving licence, passport or other official documentation for identity verification
- Disclosure and Barring Service check results
- Photograph?

## Governors'/Trustees' information

The personal data collected is essential in order for the school to fulfil their official functions and meet legal requirements.

We collect and use governance information for the following purposes:

- To meet the statutory duties placed upon us
- To communicate with governors on school or trust business (task in the public interest)
- To ensure there is a public record of governors/trustees and their business interests (task in a public interest)
- To ensure there is a record of governor/trustee attendance (task in the public interest)
- To ensure there is a record of governor/trustee training (task in the public interest)
- So that disclosure and barring service checks can be carried out and relevant safeguarding and safer recruitment checks can be satisfied in order to comply with statutory guidance (task in a public interest or legal obligation)
- To enable effective planning for training and development of governance and trusteeship

Data collected includes:

- Name
- Address

- Contact information
- Date of birth
- Business interests
- Financial interests
- Governor/trustee ID
- Governance roles in other schools or multi-academy trusts
- Date of appointment and the length of terms
- Driving licence, passport or other official documentation for identity verification
- Disclosure and Barring Service Check Results
- Contact details of referees and written responses to a reference request
- Skills audit information

All academy trusts, under the Academies Financial Handbook, academy trust handbook, have a legal duty to provide the governance information as detailed above.

### **Workforce information**

In the course of employing staff in our organisation, we collect and use the following information when provided to us:

- Personal information such as name, employee or teacher number, national insurance number, date of birth, nationality, marital status, gender, address and contact details (home phone number, personal email address), emergency contact/next of kin;
- Contractual and employment information (such as start date, hours worked, post, roles and salary information); work absence information (such as number of absences and reasons);
- Characteristics information such as gender, age;
- Disciplinary/Grievance/Complaint records;
- Work absence information such as number of absences and reasons;
- Qualifications and skills (and where relevant, subjects taught, safeguarding status, first aid qualifications) right to work information (passport, visa, indefinite leave to remain);
- Photographic and interactive media;
- Criminal record data (if it exists during pre-employment checks, including via the Disclosure and Barring Service), prohibition order check results, childcare disqualification check results;
- Special category data such as racial/ethnic group, religion, trade union membership (and payroll deductions made), biometric data (entry point and payment systems), sexual orientation (if raised in discrimination issues);
- Health data such as occupational health referrals and associated data, re-employment medicals, disabilities, access to work assessments and associated data and;
- We record CCTV for the safety and security of everyone in our schools.
- Bank account information

We use school workforce data to:

- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Enable individuals to be paid
- To calculate pension payments and any other salary calculations (such as sick pay or maternity pay)
- Facilitate safer recruitment
- Ensure effective performance management
- Meet the statutory duties places upon us for the Department for Education data collections (such as the workforce census)

## **Pupil information**

In the course of carrying out our duties to educate the students within our school(s), we collect, hold and share the following information when provided to us:

- Personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- Characteristics (such as ethnicity, language and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Special educational needs (including the needs, ranking and information from professionals such as diagnosis or screening paperwork)
- 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 Key Stage 1 and phonics results, SATs, Key Stage 4 results, post 16 courses enrolled for and any relevant results)
- Behavioural information (such as suspensions or exclusions and any relevant alternative provision put in place)
- Photographs and video clips
- Post 16 destinations and learning information and;
- We record CCTV for the safety and security of everyone in the school

We use pupil information to:

- Support pupil learning
- Monitor and report on pupil attainment and progress
- Provide appropriate pastoral care
- Assess the quality of our services
- Comply with the law regarding data sharing
- Keep children safe (food allergies or emergency contact details)
- Meet the statutory duties placed upon us for the Department for Education (DfE) data collections (such as the school census, or attendance data sharing)

## The 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 basis for processing your personal information is set out below:

- Under Article 6 of the General Data Protection Regulation (GDPR), in accordance with the **Public Task** basis to fulfil our statutory function as a school, to perform our official function (public task) such as equal opportunities monitoring, for child protection purposes or where otherwise authorised by law, such as Departmental Census Returns as required in the Education Act 1996;
- Under Article 9 of the General Data Protection Regulation where data is classed as special category data, e.g health, race, ethnicity etc, to carry out tasks in the public interest;
- In accordance with the **Vital Interests basis**- we will use personal data in a life or death situation;
- Where it is carried out as a task in the public interest, such as equal opportunities monitoring, for child protection purposes or where otherwise authorised by law, such as Departmental Censuses as required in the Education Act 1996.
- In accordance with the **Contract basis** - if we need to process the data to fulfil a contract with you or to assist you in entering into a contract with us;
- In accordance with the **Consent basis**- we will obtain consent from you to use your personal data;
- In accordance with the **Legitimate Interest** basis- where there is minimal privacy impact, and we have a compelling reason;
- To facilitate your attendance in schools, background checks from the Disclosure and Barring Service may be done which may involve the collection of criminal convictions;
- In accordance with the **Legal Obligation basis**- we need to process the data to meet our responsibilities under certain laws. For example, The Equality Act 2010 (England, Scotland and Wales) requires schools to make reasonable adjustments to ensure that children and young people with a disability are not put at a substantive disadvantage compared with their peers.
- (Governance data) All academy trusts, under the Academies Financial Handbook academy trust handbook have a legal duty to provide the governance information as detailed above.

### Special Category Data

Our basis for using **Special Category Data under Article 9** of the GDPR will only be when we have both a lawful basis as set out above and under the following legal grounds, in accordance with the Data Protection Act (2018), Schedule 1:

- Where we have obtained your explicit consent to use your data in a specific way;



- When we need to perform or exercise an obligation or right in relation to employment, social security or social protection law;
- When we need to protect an individual's vital interest (i.e. protect your life or someone else's life) in situations where you are physically or legally incapable of giving your consent;
- Where the data concerned has already been made manifestly public by you;
- When we need to process it for the establishment, exercise or defence of legal claims;
- Where we need to process it for reasons of substantial interest as defined in legislation;
- When we need to process it for health or social care purposes and the processing is done by/or under the direction of a health or social care work professional or by any other person obliged to do so, confidentiality under law;
- Where we need to process it for public health reasons and the processing is done by/or under direction of a health or social care work professional or by any other person obliged to do so confidentiality under law; and
- Where we need to process it for archiving purposes, scientific or historical researching purposes or for statistical purposes and processing is in the public interest.

### **Criminal Offence Data**

For criminal offence data, we will only collect and use this type of personal information 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 are physically or legally incapable of giving consent;
- the data concerned has already obviously been made 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; and
- we need to use it for reasons of substantial public interest as defined in legislation.

Criminal offence data may also form part of recruitment processes in order to fulfil our obligations under safer recruitment practices, as specified in Keeping Children Safe in Education, therefore meeting our obligations under Section 3 of the Children Act 1989 which places a duty on a person with the care of a child to do all that is reasonable in the circumstances for the purposes of safeguarding the child.

### **Collecting this information**

Whenever we seek to collect information from you, we will make it clear whether you must provide this information (and if so, the possible consequences of not complying) or whether you have a choice:

- **Parents:** whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this;
- **Visitors and volunteers:** As a visitor, the information that you provide to us is voluntary. However, we may restrict access to the school if the information is not provided; and
- **Governors:** Governance roles data is essential for the school, academy or academy trust's operational use. Whilst the majority of information you provide to us is mandatory (, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.
- **Workforce:** Workforce data is essential for the school's operational use. Whilst the majority of information you provide to us in mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will confirm whether you are required to provide certain school workforce information to us or if you have a choice in this. Information will be collected during the application and recruitment process, from you or your agency (such as application, new starter forms and contracts). Additional information may be requested from third parties during the recruitment process, including agencies undertaking background checks and former employers. We collect personal information during employment (such as changes to personal details forms and other data collection forms, as well as reports made by other parties which are held in your personnel file) as and when requested. CCTV monitoring is used on site.
- **Pupils:** Pupil data is essential for school's operational use. Whilst the majority of information you provide to us in mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will confirm whether you are required to provide certain information to us or if you have a choice in this. We collect pupil information in multiple ways: through transfer of electronic or physical data from another setting (such as previous school); information given to us by the pupils in the school (such as in work or behaviour reports); information given to us by a parent or carer (such as information requested when a child starts school) and; information provided to us from external agencies (such as the Local Authority).

We endeavour to hold any information collected securely and aim to ensure all appropriate technical and organisational measures are in place to keep the data secure. Data will be kept for the duration specified in our retention process.

## Who we share information with and why we share it

We do not share information about individuals with anyone without consent unless the law or our policies allow us to do so.

- **Parents:** we will share your information with members of staff, other agencies and, where you have agreed, to ensure the functioning of a contract, with third-party processors who provide services to the school;
- **Visitors and volunteers:** your information will not be shared unless requested by an external agency, in the course of a health and safety incident or in the investigation of a crime; and
- **Governors:** we will publish the names, business interests, financial interests and governance roles of governors on the school website. Governor information is also shared with the Local Authority and published on the DfE, Get Information About Schools portal. We are required to share information about individuals in governance roles with the Department for Education (DfE) under the requirements set out in the Academies Financial Handbook and Academy Trust Handbook.
- **Workforce:** We routinely share information with
  - The Local Authority
  - The Department for Education
  - Third party services (where a contract exists) in order to fulfil contractual obligations (such as payroll) or where a service is being used in the operations of a school (such as patronal communication applications)

Only information required for the stated purpose is shared and all third parties are required to ensure appropriate technical and organisational measures are in place to secure your data.

We do not routinely share information about workforce members with anyone without consent unless the law or our policies allow us to do so.

We share personal data with the Department for Education on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation and links to school funding/expenditure and the assessment of educational attainment. We are also required to share information about our employees with the DfE under section 5 of the education (supply of information about the workforce) (England) Regulations 2007 and amendments.

- **Pupils:** We routinely share pupil information with
  - Schools that the pupils attend after leaving us
  - Our local authority
  - Examination boards
  - Admissions authorities
  - Youth support services (pupils aged 13+)
  - The Department for Education
  - Suppliers we have contracted with to provide educational services and those related to the operations of the school (such as catering providers, e-learning software)
  - The police, when investigating or preventing crime
  - Courts and tribunals, when ordered to do so under the law
  - The pupil's family and authorised representatives

- Health and welfare organisations
- Statutory research bodies
- Regulators such as Ofsted, or the Information Commissioner's Office, when required to do so and
- Auditors and other professional bodies.

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

Where we share with third-party services, this will be in line with data protection law and specified in the agreements with those third-parties.

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 also required to share information about pupils with the DfE under regulation 5 of the Education (Information about individual pupils) (England) Regulations 2013.

## Withdrawal of Consent

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Data Protection Officer (DPO) using the contact details on the front of this notice.

If you have any concerns about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance using the contact information on the first page of this document.

If you are dissatisfied, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## The data protection principles and your rights

We will comply with data protection law. This says that the personal information we hold about you must be:

- Used lawfully, fairly and transparently;
- Collected and used only for the specific, explicit and legitimate purpose they have been collected for and not for any other purposes;
- Adequate and relevant and limited only to what is necessary;
- Accurate and kept up to date;
- Kept only as long as necessary; and
- Kept securely, using appropriate technical and/or organisation measures.

You have rights associated with how your data is collected and processed. Not every right is absolute, but under certain circumstances, you can invoke the following rights:

- Right of access
- Right of erasure
- Right of rectification
- Right to object to processing
- Right to be informed
- Right to data portability
- Right not to be subject to decisions based on automated decision making
- Right to restrict processing
- Right to seek compensation for damages caused by a breach of the Data Protection regulations.

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office (ICO) at [Information Commissioner's Office](#).

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the "How Government uses your data" section of this notice.

## How the Government uses your data

The government will use data provided in a variety of different ways. These are outlined below.

### **Governors:**

The governance data that we lawfully share with the Department for Education (DfE) via GIAS will:

- increase the transparency of governance arrangements;
- enable local authority maintained schools, academies, academy trusts and the Department for Education (DfE) to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context; and
- allow the Department for Education (DfE) to be able to uniquely identify an individual and in a small number of cases conduct checks to confirm their suitability for this important and influential role.

To find out more about the requirements placed on us by the Department for Education (DfE), including the data that we share with them, go to <https://www.gov.uk/government/news/national-database-of-governors>

Some of these personal data items are not publicly available and are encrypted within the GIAS system. Access is restricted to authorised Department for Education (DfE) and education establishment users with a Department for

Education (DfE) Sign-in account who need to see it in order to fulfil their official duties. The information is for internal purposes only

### **Workforce:**

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- informs the Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workforce;
- links to school funding and expenditure; and
- supports longer-term research and monitoring of educational policy.

To find out more about the data collection requirements placed on us by the Department for Education (DfE), including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Sharing by the Department for Education (DfE)

The Department for Education (DfE) may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis;
- producing statistics; and
- providing information, advice or guidance.

The Department for Education (DfE) has robust processes in place to ensure that the confidentiality of personal data is maintained, and there are stringent controls in place regarding access to it and its use. Decisions on whether the Department for Education (DfE) releases personal 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 securely store and handle the data.

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

### **Pupils:**



The pupil data that we lawfully share with the the Department for Education (DfE) through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

To find out more about the data collection requirements placed on us by the Department for Education (DfE) (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Much of the data about pupils in England is held in the National Pupil Database (NPD).

The NPD is owned and managed by the Department for Education (DfE) 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 for Education (DfE).

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 <https://find-npd-data.education.gov.uk/>

third parties, including

- schools and 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 for Education's (DfE) NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual-level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided pupil information (and for which project) or to access a monthly breakdown of data share volumes with the Home Office and the Police, please

visit the following website: <https://www.gov.uk/government/publications/dfе-external-data-shares>

## How to find out what personal information the DfE holds about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter, which is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>