Privacy Notice for Parents and Carers –

Use of your child's personal data

This Privacy Notice was reviewed by Trustees:	**February 2026**
This Privacy Notice will be reviewed:	**Annually**
This Privacy Notice will be reviewed on or before:	**February 2027**

Contents

1. Introduction 3
2. The personal data we hold 3
3. Why we use this data 3
4. Our lawful basis for using this data 4
5. Collecting this data ..... **Error! Bookmark not defined.**
6. How we store this data ..... **Error! Bookmark not defined.**
7. Who we share data with 6
8. Your rights 8
9. Complaints 9
10. Contact us 9

1. Introduction

Under UK data protection law, individuals have the right to be informed about how their personal data is collected and used. This privacy notice explains how Berlesduna Academy Trust (the **Trust**) and its academies collect, store, use and share personal data relating to pupils, where parents or carers act on their behalf.

This notice applies where we consider that a child is not yet capable of understanding and exercising their own data protection rights. This is generally the case for children under the age of 12, but capacity is considered on a case-by-case basis. Once a child is able to understand their rights, our pupil privacy notice will apply instead.

Berlesduna Academy Trust is the **data controller** for the purposes of the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

2. The personal data we hold

We hold personal data about pupils in order to support education, safeguard wellbeing and meet our statutory responsibilities.

The personal data we may collect, use, store and share includes (but is not limited to):

- Contact details and contact preferences
- Date of birth and identification details
- Pupil and curricular records
- Assessment results and examination data
- Attendance and exclusion records
- Safeguarding and child protection information
- Information about support received, including SEND and pastoral support
- Information about the use of Trust IT systems, equipment and facilities

Special category data

We may also process special category personal data where necessary, including:

- Medical and health information (physical and mental health)
- Special educational needs and disabilities
- Ethnic background
- Photographs and CCTV images

3. Why we use this data

We use pupil personal data to:

- Support teaching and learning
- Monitor and report on pupil progress
- Provide appropriate pastoral and safeguarding care
- Protect pupil welfare
- Manage admissions and transitions
- Assess and improve the quality of our educational services
- Administer school property and resources
- Ensure the safe and appropriate use of IT systems
- Comply with legal and regulatory obligations

We will only use personal data for the purposes for which it was collected, unless we are legally permitted or required to use it for another compatible purpose.

3.1 Use of your child's personal data for marketing purposes

Where consent has been provided, we may use contact details to share information about school events, activities and campaigns. Consent can be withdrawn at any time.

You can withdraw 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 child's personal data in automated decision making and profiling

We do not currently use pupil personal data for automated decision-making or profiling. Should this change, this notice will be updated accordingly.

3.3 Use of your child's personal data for filtering and monitoring purposes

We monitor the use of Trust IT systems to:

- Comply with safeguarding and legal obligations
- Protect pupils and staff
- Maintain the security and integrity of our systems
- Protect your child's welfare

4. Our lawful basis for using this data

We process personal data under the following lawful bases set out in UK GDPR:

- **Public task** – processing necessary to perform our statutory duties as an education provider.

  This allows the school or Trust to use personal data where doing so is necessary in order to perform a task in the public interest. For example, we are performing a task in the public interest when we teach and look after your child.

- **Legal obligation** – processing required to comply with the law.

  The school or Trust might need to use your child's information in order to comply with a legal obligation, for example, to report a concern about your child's wellbeing to Children's Services or in relation to inspections. Occasionally we may have a legal obligation to share your child's personal data with third parties such as the courts, local authorities or the police.

- **Consent** – where explicit consent has been obtained.

  We may ask for your consent to use your child's data in certain ways for example, we will ask for your consent for marketing and promotional purposes and before taking or using identifiable photographs and videos. If we ask for your consent to use your child's personal data, you can take back this consent at any time.

- **Vital interests** – to protect life or prevent serious harm.

  In limited circumstances we may use your child's information to protect your vital interests or the vital interests of someone else. For example, to prevent someone from being seriously harmed.

- **Contract** – where processing is necessary to fulfil contractual obligations.

We will need to use your child's information in order to perform our obligations under our contract with them and you and the government.

The Department for Education and Local Authorities require us to collect certain information and report back to them. This is called a 'public task' and is recognised in law as it is necessary to provide the information.

We also need to process data to fulfil our statutory function as a school as set out here:

o Childcare Act 2006 o Data Protection Act 2018

o Education Act 2002, as amended by the Education Act 2011

o Education and Inspections Act 2006

o Education and Skills Act 2008

o School Standards and Framework Act 1998

o School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

Special category and criminal offence data

Where we process special category or criminal offence data, we do so in accordance with Articles 9 and 10 UK GDPR, relying on appropriate conditions such as substantial public interest, safeguarding, health and social care, or explicit consent.

4.1 Our basis for using special category data

For 'special category' data, 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 UK data protection law:

- We have obtained your explicit consent to use your child's personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your child's 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 manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- 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 work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing 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 UK 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 child's 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 manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation
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5. Collecting This Data

Most pupil data is collected directly from parents/carers or provided by the pupil's previous school.

We must keep up to date information about parents and carers for emergency contacts.

We also use contact information to keep pupils, parents and carers up to date about school events.

Where you have provided us with consent to use your child's data, you may withdraw this consent at any time.

We will make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so.

We may also receive information from:

- Local authorities
- Government departments and agencies
- Police, courts and tribunals
- Other schools or academy trusts

Where data is optional, we will make this clear at the point of collection.

6. How We Store This Data

We retain pupil personal data for as long as necessary to fulfil our legal, regulatory and operational requirements.

Retention periods are set out in the Trust's **Records Management Policy and Retention Schedule**, which details how long different categories of records are kept and how they are securely disposed of when no longer required.

We have appropriate technical and organisational security measures in place to protect personal data against loss, misuse, unauthorised access or disclosure.

7. Who we share data with

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

We have obligations to collect data about children who are at risk of suffering harm, and to share that with other agencies who have a responsibility to safeguard children, such as the police and social care.

We share information about pupils who have an Education Health and Care Plan. Medical teams have access to some information about pupils, either by agreement or because the law says we must share that information, for example school nurses may visit the school. Counselling services and therapists are the type of people we will share information with, so long as we have consent or are required by law to do so.

The Trust use various third party tools to make sure that pupils best interests are advanced. This includes financial software to manage school budgets, which may include some pupil data. We use systems to take electronic payments for school meals and other payments. We use software to track progress and attainment, recording evidence as data or as a photograph. We also use systems to monitor any safeguarding concerns, and to hold safeguarding records.

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

- Our local authority - Essex County Council – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Government departments or agencies
- Our youth support services provider
- Our regulator, Ofsted
- Suppliers and service providers: such as our communication providers and Information Management Systems
- Financial organisations
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- 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 and early years' 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 third parties, such as other organisations which promote children's education or wellbeing in England. These third parties 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.

7.1 Transferring data internationally

We may share personal information about your child with international third-parties, where different data protection legislation applies.

Where we transfer your child's personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, 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 your child

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

If you make a subject access request, and if we do hold information about your child, we will (subject to any exemptions that apply):

- 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
- 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

You may also have the right for your child's personal information to be transmitted electronically to another organisation in certain circumstances.

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

Once your child is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), we will need to obtain consent from your child for you to make a subject access request on their behalf.

8.2 Your right to access your child's educational record

Parents, or those with parental responsibility, also have the right to access their child's educational record (which includes most information about a pupil). This right applies as long as the pupil is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

To make a request, please contact our Data Protection officer, Lisa Perry.

8.3 Your other rights regarding your child's data

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

- Object to our use of your child's personal data
- Prevent your child's data being used to send direct marketing
- Object to and challenge the use of your child's personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about your child deleted or destroyed, or restrict its processing

- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your child's personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the UK data protection regulations

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 concern about our data processing, please raise this with us in the first instance by contacting our Data Protection Officer, Lisa Perry (please see contact details below)

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

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

Lisa Perry

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School House

Church Road

Basildon

Essex

SS14 2EX

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