

# Trinity Academy Newcastle Trust

## Pupil Privacy Notice

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### 1. Data Controller

**Data Controller name:** Trinity Academy Newcastle Trust

**Registration Number:** ZA118810

## 2. Overview

You have a legal right to be informed about how our school uses any personal information that we hold about you. This privacy notice is a statement that describes how and why Trinity Academy Newcastle Trust (known henceforth in this notice as ‘the Trust’) processes (‘collects’, ‘uses’, ‘retains’, ‘discloses’, ‘disposes of’) personal information in stored within the Trust’s internal and cloud-based storage systems.

This notice also explains how you can control how we use your information in accordance with your rights under relevant data protection legislation.

We, Trinity Academy Newcastle Trust, are the ‘data controller’ for the purposes of data protection law.

Our data protection officer is Berjees Tata (see ‘Contact us’ below).

## 3. 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.

This information includes:

- Your contact details
- Your test results
- Your attendance records
- Your behaviour rewards points
- Your characteristics, like your ethnic background or any special educational needs
- Any medical conditions you have
- Any other areas or factors that may affect learning
- Details of any behaviour incidents and/or exclusions
- Photographs
- CCTV images

#### 4. Why we process this data

We use this data to help run the school, including to:

- Get in touch with you and your parents when we need to
- Check how you're doing in exams and work out whether you or your teachers need any extra help
- Track how well the school as a whole is performing
- Look after your wellbeing
- Support your learning
- Monitor and report on your attainment progress
- Provide appropriate pastoral care
- Assess the quality of our services
- Keep children safe (food allergies, or emergency contact details)
- Meet the statutory duties placed upon us for DfE data collections

#### 5. Legal basis for processing your data

We will only collect and use your information when the law allows us to. Most often, we will use your information where:

- We need to comply with the law
- We need to use it to carry out a task in the public interest (in order to provide you with an education and qualifications)

Sometimes, we may also use your personal information where:

- You, or your parents/carers have given us permission to use it in a certain way
- We need to protect your interests (or someone else's interest)

Where we have permission to use your data, you or your parents/carers may withdraw this at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which allow us to use your data.

While in most cases you, or your parents/carers, must provide the personal information we need to collect. We will always tell you if something is optional. Where you *must* provide the data, we will explain what might happen if you do not.

Please see Appendix for full list of legal basis that apply.

#### 6. How personal data is stored and accessed by Trinity Academy Newcastle Trust

Personal data is stored in the Trust's Management Information Systems, other recording and monitoring systems including databases, spreadsheets and shared drives located on-site (the Trust's servers) and on the cloud (Microsoft Office 365).

Access to these locations is restricted to Trust employees only. All Trust employees, contractors and volunteers who are granted access to personal data receive mandatory Data Protection training and have a contractual responsibility to maintain confidentiality.

## 7. Automated individual decision making, including profiling

**‘Automated decisions’** occur where systems make decisions about you ‘automatically’ without human intervention. We **do not** currently use any automated decision making systems. We will contact to inform of any changes and seek your consent to do so.

**‘Profiling’** is where information about you is used to make decisions about you, tailor your education based on your interests, your academic and/or behavioural performance.

You have the right to change your mind for either automated decision making or profiling at any time even after providing your consent, by contacting the data protection officer on [data.central@trinity.newcastle.sch.uk](mailto:data.central@trinity.newcastle.sch.uk).

## 8. Personal Data may be shared

Personal data collected under this privacy notice may be shared, as appropriate, with...

- The Local Educational Authorities (‘the LEA’), the Education Skills Funding Agency (‘the ESFA’) and the Department for Education (‘the DfE’) for the purposes of Statistical Reporting, legal obligations as an education provider, request for additional funding, and/or fulfil the Trust’s contractual obligations (funding agreement, etc.).
- Your family and representatives
- Awarding Bodies and Training Certification Providers (e.g. Pearson Edexcel, AQA, OCR, WJEC, NCFE, City & Guilds, etc.) for the purposes of registration, assessment and certification of any courses undertaken at the Trust.
- Our regulators (the organisation or “watchdog” that supervises us) like Ofsted.
- Youth Support Services (e.g. Connexions) for the purposes of careers guidance and facilitation of placements.
- The Newcastle City Council ICT Services for administration of a user account, should that be considered necessary for your education.
- Our MIS (management information system) providers. (currently SIMS and PICS)
- Other assessment, behaviour, and educational resource providers like ePraise, Doodle, ReadingWise, ForSkills etc. (we will seek consent before using new ones)
- Research organisations and/or researching/surveying websites like Ofsted Parent View and SurveyMonkey.

- Our website, local and online media and newsletters (i.e. ‘the public domain’), for the purposes of parental engagement and publicity. (we will seek consent before using this)
- Locally stored and cloud based software applications for the purposes of managing bought-in services (e.g. Rewards points, Utilities, facilities and premises maintenance, etc.)
- Suppliers and service providers – so that they can provide the services we have contracted them for
- Educational Psychologists
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities (e.g. your local GP, the NHS, etc.)
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

On occasion, the Trust may also be obliged to provide information to the police, local authorities or relevant government departments if deemed necessary under the appropriate exemption for the prevention or detection of crime and/or safeguarding concerns.

## 9. National Pupil Database

We are required 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 which 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.

## 10. Youth support services

Once you reach the age of 13, we are legally required to pass on certain information about you to your Local Educational Authority and Youth support services (e.g. Connexions), as it has legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

Your parents/carers, or you once you are 16, can contact our data protection officer to ask us to only pass your name, address and date of birth to your Local Educational Authority and Youth support services.

## 11. Transfers to third party countries

Some services utilised by the Trust are hosted by, or shared with, other organisations based either within the European Union or, in limited situations, outside of the European Union (referred to as “third party countries”), in countries that have comparable levels of protection. Where data is shared with organisations outside of the European Union, we ensure that there are appropriate safeguards in place.

The following systems may require sharing of data outside of the UK.

<b>Provider</b>	<b>Services</b>	<b>Location Hosted</b>
Microsoft Office 365	Cloud storage solutions and Emails sent to/from the Trust’s email accounts	Within the EU

## 12. How long personal data is held by the Trust.

We are required to keep your personal data during your education at the Trust, and after you have left the Trust, where law requires us. We have a data retention policy, which sets out how long we must keep information about pupils. You can request for a paper copy by contacting the Data Protection Officer, or alternatively, visit our website “policies” section here → <http://trinity.newcastle.sch.uk/policies/data-protection>

## 13. Where does the Trust get your personal data from?

We obtain personal data about you from the following sources:

- The Local Educational Authority
- Any previous school(s) you may have attended

- From your parents/carers
- Direct from you

## 14. Your Rights (including under GDPR)

### Access to information

You have a right to request copies of the data held about you by the Trust. To do so please contact the data protection office for a Subject Access Request.

### Data Portability

From 25th May 2018 onwards you will have the right to request any personal data you submitted electronically to us. To do so please contact the data protection office.

### Rectifying Data

If at any point you believe the information we process about you is inaccurate or incomplete you can request to see this information and even have it corrected or deleted. To do so please contact the data protection office.

### How we will contact you and your right to object to direct marketing

All communication with you, including in relation to updates to this privacy notice, will be made via the preferred method of communication that you have registered with us and you will be able to select the type of correspondence you receive.

If, at any stage, you are concerned about the content (e.g. unwanted marketing), frequency (too many) or method (change preference) of these communications, you can unsubscribe or update your preferences using the link which will be provided at the bottom of the relevant correspondence.

Please note that the option to unsubscribe may not be included in direct personal correspondence with individual members of staff, but you may request to them that you be removed from our systems.

### Erasing Data

Should you object to the processing of your data for any or all the purposes listed in this privacy notice, or should you wish to have your data erased from our system, please contact the data protection office.

## 15. Data Protection Office

The Officer responsible for Data Protection at the Trust is Berjees Tata.

If you have any questions which you feel have not been covered by this Privacy Notice, or if you have concerns or a complaint in relation to the Trust processing your

personal data, please do not hesitate to email us at [data.central@trinity.newcastle.sch.uk](mailto:data.central@trinity.newcastle.sch.uk)

If your request is urgent, please call +44 (0)191 298 6950

## 16. Lodging a Complaint with the Information Commissioners Office

We take all complaints about how we collect and use your personal data very seriously, so please let us know if you're worried about anything.

You can make a complaint at any time by contacting our data protection officer Berjees Tata.

Should you be dissatisfied with the Trust's processing of your personal data, you have the right to complain to the Information Commissioner's Office. For more information see [Information Commissioner's Office \('ICO'\) web site](#).

## Restricting Processing

From 25<sup>th</sup> May 2018 onwards, if you wish to raise a complaint on how we have handled your personal data, you can also request that we 'restrict processing' meaning that the data will be preserved from further processing 'as evidence' to support your complaint to the ICO. Contact our Data Protection Officer (*see above*) to request restriction of processing.

## 17. Changes to this privacy notice

We keep this privacy notice under regular review. This privacy notice was last updated on 31 May 2018. The next review is due by 01 April 2019.

## 18. 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 Berjees Tata...

- via email: [data.central@trinity.newcastle.sch.uk](mailto:data.central@trinity.newcastle.sch.uk),  
or
- by telephone: 0191 298 6950.

## Appendix

[Legal Conditions for Processing Data Under GDPR](#)

<b>Personal Data</b>
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## Trinity Academy Newcastle Trust – Pupil Privacy Notice

<b>Article 6, EU GDPR "Lawfulness of processing"</b>	<b>Meaning</b>
1. Processing shall be lawful only if and to the extent that at least one of the following applies:	
(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;	Any data which is optional and will only be processed if you agree to it.
(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;	Data that we need to process in order to fulfil our contractual obligations to you.
(c) processing is necessary for compliance with a legal obligation to which the controller is subject;	Where the Trust has a legal obligation to provide information to a third party.
(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;	The Trust may have to release without consent to protect your interests or the interests of others e.g. medical emergencies, criminal investigations, etc.
(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;	As a Trust, our educational activities are "public tasks" and we may be required to process information about you to fulfil these tasks.
(f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.	"Legitimate interest" is generally the interest of the Trust (or third party) in providing services, or the provision of education to a data subject.

<b>Special Categories of Personal Data</b>	
<b>Article 9, EU GDPR "Processing of special categories of personal data"</b>	<b>Meaning</b>
1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.	
2. Paragraph 1 shall not apply if one of the following applies:	
(a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;	Any special category data which is 'optional' will only be processed if you agree to it. e.g. Unless required by Law or Contract, we would ask permission to "process sensitive data".
(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;	Where the Trust must process special categories of personal data to fulfil a duty of care to safeguard their students and staff, or to perform their civic duty under the rule of law.
(c) processing is necessary to protect the vital interests of the data subject or of another natural person where the	Medical Emergencies

## Trinity Academy Newcastle Trust – Pupil Privacy Notice

<p>data subject is physically or legally incapable of giving consent;</p>	
<p>(d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;</p>	<p>Trust does not share information under this sub-article</p>
<p>(e) processing relates to personal data which are manifestly made public by the data subject;</p>	<p>Data is already “publicly available”. e.g. confirming information about an individual that is in the news.</p>
<p>(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;</p>	<p>Processing “special categories” of data in connection with legal claims (Trust or Individuals).</p>
<p>(g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;</p>	<p>Processing “special categories” of data where necessary for reasons of substantial public interest. e.g where an individual may be in danger and provisions need to be put in place to protect them.</p>
<p>(h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;</p>	<p>Processing “special categories” of data where necessary for occupational health provision. e.g. sharing information for assisting with adjustments and access arrangements</p>
<p>(i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;</p>	<p>Processing “special categories” of data where necessary for reasons of substantial public interest. e.g. an outbreak of Meningitis</p>
<p>(j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.</p>	<p>Processing “special categories” of data where necessary for archiving purposes (e.g. quotes for financial audit and tax purposes)</p>