



# The Bishop Konstant Catholic Academy Trust

Learning Communities, Inspired by Faith

## Privacy Notice for Pupils & Students



The Bishop Konstant Catholic Academy Trust,  
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## **Privacy Notice for Pupils - How we use information**

### **What is the purpose of this document?**

The Bishop Konstant Catholic Academy Trust ('the Trust') is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during and after your school career with us, in accordance with the General Data Protection Regulation ("GDPR"). It applies to all pupils and students.

The Trust is a "Data Controller" as defined by Article 4 (7) of the General Data Protection Regulation (GDPR). This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice. This notice applies to current and former students. It does not form part of any contract.

### **The categories of pupil information that we collect, process and hold about you are:**

- personal information (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- safeguarding information (such as court orders or professional involvement)
- special educational needs information (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance information (such as sessions attended, number of absences, absence reasons and any other academies attended)
- assessment and attainment information (progress, achievement, including post 16 enrolment and any other relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)

### **Why we collect and use pupil information**

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

We collect and use the pupil information, for the following purposes:

- (a) to support pupil learning
- (b) to monitor and report on pupil attainment progress
- (c) to provide appropriate pastoral care
- (d) to assess the quality of our services
- (e) to keep pupils safe (food allergies, or emergency contact details)
- (f) to meet the statutory duties placed upon by the Department for Education

Any personal data we process about our pupils and parents is done so in accordance with Article 6 and Article 9 of GDPR.



Our legal basis for processing personal data, in line with Article 6 (1) (c) include:

- Education Act 1944, 1996, 2002
- Education and Adoption Act 2016
- Education (Information About Individual Pupils) (England) Regulations 2013
- Education (Pupil Information) (England) Regulation 2005
- Education and Skills Act 2008
- Children Act 1989, 2004
- Children and Families Act 2014
- Equality Act 2010
- Education (Special Educational Needs) Regulations 2001

We also process information in accordance with Article 6 (e) and Article 9 (2) (g) as part of the official authority vested in the Trust as data controller and for reasons of substantial public interest. Such processing, which is not mandatory but is considered to be in our pupils' interest, include:

- School trips
- Extracurricular activities

### **Collecting pupil information**

Much of the information we process will be obtained directly from pupils and parents. We will also process information received from:

- Department for Education (DfE)
- Local Education Authority
- Any previous schools/nurseries attended

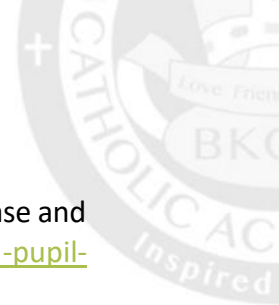
Pupil data is essential for the academy's operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain information to us, or if you have a choice in this and we will tell you what you need to do if you do not want to share the information with us.

### **Who we share pupil information with**

We routinely share pupil information with:

- Academies/schools that pupils previously attended or attend after leaving us
- relevant Local Education Authority
- youth support services (pupils aged 13+)
- the Department for Education (DfE)
- National Health Service bodies (for example Child and Adolescent Mental Health Service)

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



For more information on data sharing with the DfE (including the National Pupil Database and Census) please go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

### **Storing pupil data**

Where information forms part of a pupil's statutory education record, the academy will retain the information for 25 years from the child's date of birth. Other information will be retained only where it is required to perform our legal obligations or where it is retained to safeguard and promote the welfare of children and in accordance with the Trust Records Management Policy & Procedures, and in accordance with the Information & Records Management Society, available upon request.

### **Youth support services**

#### **Pupils aged 13+**

Once our pupils reach the age of 13, we also pass pupil information to the relevant local authority and/or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- youth support services
- careers advice

A parent or guardian can object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the child/pupil once they reach the age 16.

#### **Pupils aged 16+**

We will also share certain information about pupils aged 16+ with the relevant local authority and/or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- post-16 education and training providers
- youth support services
- careers advice

A pupil once they reach the age of 16 can object to only their name, address and date of birth being passed to their local authority or provider of youth support services by informing the academy.

Data is securely transferred to the youth support service via secure file transfer. For more information about services for young people, please visit the local authority website.



### **Department for Education**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via the relevant local authority for the purpose of those data collections, under;

- Regulations 5 of the Education (Information About Individual Pupils) (England) Regulations 2013
- Regulation 4 of The Education (Information About Individual Pupils) (England) Regulations 2013

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

For more information, please see 'How the Government uses your data' section.

### **Local Authorities**

We may be required to share information about our pupils with the relevant local authority to ensure that they can conduct their statutory duties under

- the Schools Admission Code, including Fair Access Panels

### **Requesting access to your personal data**

Under GDPR, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or to be given access to your child's educational record, contact the Data Protection Coordinator at the academy.

Depending on the lawful basis above, you may also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked or erased or destroyed; and
- a right to seek redress, either through the Information Commissioners Office, or through the courts

If you have a concern 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 at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.



### **Withdrawal of consent and the right to lodge a complaint**

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 Coordinator at the academy.

### **Contact**

If you would like further information regarding the privacy notice, please contact the Data Protection Coordinator at the academy or alternatively the Trust Data Protection Officer by email [dpo@bkcat.co.uk](mailto:dpo@bkcat.co.uk), or by contacting the Trust Office:

The Bishop Konstant Catholic Academy Trust  
The Zucchi Suite  
Nostell Business Estate  
Nostell  
Wakefield  
WF4 1AB  
01924 802285

We may need to update this privacy notice periodically, so we recommend that you revisit the information from time to time.

### **How Government uses your data**

The pupil data that we lawfully share with the DfE through data collections:

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

### **Data collection requirements**

To find out more about the data collection requirements placed on us by the Department for Education (for example: via the school census) go to

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

### **The National Pupil Database (NPD)**

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

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



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://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

### **Sharing by the Department**

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

- schools that pupils attend after leaving us
- 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 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 DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 pupil per year to the Police.

For information about organisations the Department 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/dfe-external-data-shares>

### **How to find out what personal information DfE hold about you**

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they are 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

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

To contact DfE: <https://www.gov.uk/contact-dfe>



### **Monitoring and Review of this Policy**

The Trust shall be responsible for reviewing this policy from time to time to ensure that it meets legal requirements and reflects best practice.

**The Bishop Konstant Catholic Academy Trust is an exempt charity regulated by the Secretary of State for Education. It is a company limited by guarantee registered in England and Wales, company number 8253770, whose registered office is at  
The Zucchi Suite, Nostell Business Estate, Nostell, Wakefield, WF4 1AB**





## Appendix 1: Definitions

Term	Definition
<b>Personal data</b>	<p>Any information relating to an identified, or identifiable, individual.</p> <p>This may include the individual's:</p> <ul style="list-style-type: none"> <li>• Name (including initials)</li> <li>• Identification number</li> <li>• Location data</li> <li>• Online identifier, such as a username</li> </ul> <p>It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.</p>
<b>Special categories of personal data</b>	<p>Personal data which is more sensitive and so needs more protection, including information about an individual's:</p> <ul style="list-style-type: none"> <li>• Racial or ethnic origin</li> <li>• Political opinions</li> <li>• Religious or philosophical beliefs</li> <li>• Trade union membership</li> <li>• Genetics</li> <li>• Biometrics (such as fingerprints, retina and iris patterns), where used for identification purposes</li> <li>• Health – physical or mental</li> <li>• Sex life or sexual orientation</li> </ul>
<b>Processing</b>	<p>Anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying.</p> <p>Processing can be automated or manual.</p>
<b>Data subject</b>	<p>The identified or identifiable individual whose personal data is held or processed.</p>
<b>Data controller</b>	<p>A person or organisation that determines the purposes and the means of processing of personal data.</p>
<b>Data processor</b>	<p>A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller.</p>
<b>Personal data breach</b>	<p>A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.</p>