



**THE BAY
LEARNING TRUST**

Pupil Privacy Statement

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PUPIL DATA PRIVACY STATEMENT

1 INTRODUCTION

- 1.1 **The Bay Learning Trust** is committed to protecting the privacy and security of its pupils personal information. This Pupil Privacy Statement provides you with important information about what, how, where, why and when the **Trust** collects and Processes your Personal Data.
- 1.2 This statement should be read in conjunction with our Data Privacy Policy which contains more generalised information about our data protection procedures.
- 1.3 The **Trust** is what is known as the 'Controller' of the Personal Data you provide to us or which we collect from third parties. This means that **Trust** is responsible for deciding what personal information we gather and how we hold and use it.
- 1.4 The **Trust** Processes your personal data in accordance with Data Protection law. This includes the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).
- 1.5 This statement applies to all pupils aged 13 and over. Parents and pupils under 13 must refer to our Parent Privacy Statement.

2 WHAT IS PERSONAL DATA?

- 2.1 Personal Data is any information that relates to an identified or identifiable individual. It includes information relating to you, from which we can identify you directly or indirectly.
- 2.2 It also includes information relating to you, from which you cannot be directly identified, if you can be identified from that information when it is used in combination with other information we hold about you.
- 2.3 Personal Data can include information relating to you that has been 'pseudonymised', meaning that any information that directly or indirectly identifies you (e.g. your name) is removed and replaced with one or more artificial identifiers or pseudonyms (e.g. pupil number).
- 2.4 However, truly anonymous data, or data that has had any identifying information permanently removed from it, does not count as Personal Data.
- 2.5 When considering whether information 'relates to' you or your child for the purposes of Data Protection Legislation, we take into account a range of factors, including the content of the information, the purpose or purposes for which we are Processing it, and the likely impact or effect of that Processing on you.

3 WHAT TYPES OF PERSONAL DATA DO WE PROCESS?

- 3.1 Any activity that involves the use of your personal data is referred to as Processing. The **Trust** Processes many different categories of pupil information. This may include;
- 3.1.1 personal identifiers and contacts (such as name, unique pupil number, contact details and address);
- 3.1.2 characteristics (ethnicity, language, free school meal eligibility);
- 3.1.3 safeguarding information;
- 3.1.4 special educational needs;

- 3.1.5 medical and administrative;
- 3.1.6 attendance;
- 3.1.7 assessment and attainment;
- 3.1.8 trips and activities;
- 3.1.9 identity management/authentication; and,
- 3.1.10 behavioural information.

4 **HOW DO WE COLLECT YOUR PERSONAL DATA?**

- 4.1 Most of the personal information the **Trust** collects is provided to us directly by you. We also collect your information via registration forms and [**include other ways you obtain information**].
- 4.2 Most of the information you provide to us is mandatory, however, some will be requested on a voluntary basis. In order to comply with Data Protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

5 **HOW DO WE USE YOUR PERSONAL DATA?**

- 5.1 Most of the personal information the **Trust** Processes is provided to us directly by you for one of the following reasons;
 - 5.1.1 to support learning;
 - 5.1.2 to monitor and report on your attainment progress;
 - 5.1.3 to provide appropriate pastoral care;
 - 5.1.4 to assess the quality of our services;
 - 5.1.5 to keep you safe; and,
 - 5.1.6 to meet our statutory duties.
- 5.2 The **Trust** also receives personal information indirectly, from the following sources;
 - 5.2.1 social services;
 - 5.2.2 the police;
 - 5.2.3 your parents; and,
 - 5.2.4 medical professionals.
 - 5.2.5 .

6 **LAWFUL BASIS**

- 6.1 We collect and use pupil information under article 6 of the uk gdpr. these articles set out the lawful reasons that we can process pupil data. we rely on the following for the vast majority of the processing we undertake:
 - 6.1.1 Article 6.1a – consent (in limited circumstances):

6.1.2 Article 6.1c – processing is necessary for compliance with a legal obligation to which we are subject: or

6.1.3 Article 6.1e – processing is necessary for the performance of a task carried out in the public interest

6.2 We also process special categories of personal data which includes health information, sexual orientation, religious/philosophical beliefs and ethnic origin. When processing this information we need to rely on a condition under Article 9 of the UK GDPR, along with further conditions as set out under Schedule 1 of the Data Protection Act 2018. For the majority of pupil data we process we rely on the following conditions:

6.2.1 Article 9.2g – processing is necessary for reasons of substantial public interest; or

6.2.2 Article 9.2a - explicit consent.

6.3 We may process criminal offence data and some special category data in accordance with the conditions set out in Schedule 1 Data Protection Act 2018. The conditions include, but are not limited to:

6.3.1 For the purpose of employment, social security and social protection law

6.3.2 Consent

6.3.3 Counselling

6.3.4 Preventing and detecting an unlawful act

6.3.5 Safeguarding children

6.3.6 Preventing fraud

6.3.7 Equality of opportunity or treatment

7 **HOW DO WE STORE YOUR PERSONAL INFORMATION?**

7.1 The **Trust** stores pupil data for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please see The Bay Learning Trust Records Retention Policy.

8 **WHO DO WE SHARE YOUR PERSONAL INFORMATION WITH?**

8.1 The **Trust** does not share your information with anyone without consent unless the law and (if applicable) our policies allow us to do so.

8.2 The **Trust** will routinely share pupil information with;

8.2.1 any school that you attend after leaving;

8.2.2 the local authority;

8.2.3 youth support services;

8.2.4 the Department for Education;

8.2.5 the NHS; and,

8.2.6 within our Multi Academy Trust].

9 YOUR DATA PROTECTION RIGHTS

9.1 Under data protection law, you have rights, including;

9.1.1 **Right to be informed** – about how and why your data is being used.

9.1.2 **Right of access** – you have the right to ask us for copies of your personal information;

9.1.3 **Right to rectification** – you have the right to ask us to rectify personal information you think is inaccurate or to ask us to complete information;

9.1.4 **Right to erasure** – you have the right to ask us to erase your personal information in certain circumstances;

9.1.5 **Right to restriction of Processing** – you have the right to object to the Processing of your personal information in certain circumstances;

9.1.6 **Right to data portability** – you have the right to ask that we transfer the personal information we hold about you to another organisation.

9.1.7 **Right to not to be subject to a decision based solely on automated processing** – for decisions that have a legal or similarly significant effect on individuals.

9.2 You are not required to pay any charge for exercising your rights. If you make a request we must respond in one month.

9.3 Please contact Gavin Gomersall, The Data Protection Officer, The Bay Learning Trust, The Lodge, Ripley St Thomas CE Academy, Ashton Road, Lancaster LA1 4RR, email DPO@baylearningtrust.com if you wish to make a request.

10 CHANGES TO YOUR PERSONAL DATA

10.1 It is important that the Personal Data we hold about you is accurate and current. Please keep us informed if your personal information changes during your time with us.

11 HOW TO COMPLAIN OR WITHDRAW CONSENT

11.1 If you have any concerns about our use of your personal information, wish to exercise your rights in relation to your Personal Data, or make a complaint, please let us know by contacting Gavin Gomersall, The Data Protection Officer, The Bay Learning Trust, The Lodge, Ripley St Thomas CE Academy, Ashton Road, Lancaster LA1 4RR, email DPO@baylearningtrust.com

11.2 You can also complain to the ICO if you are unhappy with how we have used your data.

12 CHANGES TO THIS DATA PRIVACY STATEMENT

We keep our practices and policies regarding the collection, Processing and security of Personal Data under continual review and may update them from time to time. We therefore reserve the right to change this Data Privacy Statement at any time. We will notify you of any changes made at the appropriate time and may re-issue a new Data Privacy Statement if appropriate.