

Pupil Data Protection Privacy Notice

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Under data protection law (UK GDPR and Data Protection Act 2018), individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about pupils.

Think Differently Education Trust, James Brindley School, Bell Barn Road, Edgbaston Birmingham B15 2AF, is the 'data controller' for the purposes of data protection law. The trust is registered with the ICO, reference number Z519817X.

Our data protection officer is Kevin Biggs (see 'Contact us' below).

The personal data we hold, why we use this data and the lawful basis for processing

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

Data we collect	Why we use this data	Lawful basis for using this data
Contact details, contact preferences, date of birth, identification documents, identification numbers	Administer admissions processes and to contact parents/carers	Public task and substantial public interest
Results of externally set tests	To provide results to pupils and public organisations and assess the quality of our service.	Public task and substantial public interest
Pupil and curricular records including internal assessments and behavioural information	Assess the appropriateness of pupil referrals for a placement at the school, to support pupil learning, behaviour and transition, to celebrate success through VIP award certificates in assemblies/newsletters and assess the quality of our service.	Public task and substantial public interest
Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs	To enable equalities monitoring and assess the quality of our service	Public task, substantial public interest and equality & diversity
Exclusion information	As part of a legal process and to support pupil learning and assess the quality of our service.	Public task and substantial public interest
Details of any medical conditions, including physical and mental health, medication and dietary requirements	Assess the appropriateness of pupil referrals for a placement at the school, to support pupil learning and welfare	Public task and substantial public interest

	and transition and assess the quality of our service.	
Attendance information	Safeguarding and to report on pupil progress	Public task and substantial public interest
Safeguarding information such as court orders and professional involvement	Protect pupil safety and welfare, provide appropriate pastoral care	Public task and substantial public interest
Details of any support received including care packages, plans, support providers and medical evidence	Protect pupil safety and welfare, and provide appropriate pastoral care	Public task and substantial public interest
Photographs and videos	Internal and external marketing	Consent
CCTV images captured on school premises	Protect safety and welfare including the monitoring of pupil behaviour and management	Legitimate interest

We may also hold data about pupils that we have received from other organisations, including other schools, health providers, local authorities and the Department for Education. Data is collected through a variety of forms including Common Transfer Files (CTF).

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at anytime, but this may impact on our ability to deliver our services. We will make this clear when we ask for consent and explain how consent can be withdrawn.

Collecting this information

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily. Information is collected through Arbor, manual forms and common transfer files. Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

How we store this data

We keep personal information about pupils while they are attending school in line with our Data Protection Policy. We may also keep it beyond their attendance at school if this is necessary in order to comply with our legal obligations.

The trust uses the Information and Records Management Society's toolkit for academies to determine how long we keep information about pupils.

The trust retains pupil information in accordance with the legal requirements. For educational records this is the date of birth of the pupil + 25 years, if an EHCP is in place records are retained until the date of birth of the pupil + 31 years.

Unsuccessful pupil referrals information will be retained for 12 months.

Data sharing

We do not share information about pupils with any third party without consent unless the law allows us to do so.

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

- *Our local authority – to meet our legal duties to share certain information with it, such as concerns about pupils' safety and exclusions*
- *The Department for Education (a government department) – to meet our legal duties to share certain information with it, such as census returns*
- *Your family and representatives – so they are aware of your progress and wellbeing in school, as they have parental responsibility*
- *Educators and examining bodies – so that pupils can access their educational rights*
- *Our regulator, OFSTED, (the organisation or “watchdog” that supervises us), - to meet our legal duties and ensure that we are complying with regulation requirements*
- *Financial organisations – so that the school can receive the correct funding for pupil placements*
- *Central and local government – to meet our legal duties to provide certain information, such as pupil outcomes*
- *Our auditors – to ensure we are fulfilling our legal obligations associated with financial regulations*
- *Health authorities – so that we can ensure the wellbeing and correct educational provision for pupils*
- *Health and social welfare organisations – to provide appropriate support and ensure that the school complies with legal requirements associated with safeguarding including child protection*
- *Professional advisers and consultants – to ensure that the school effectively quality assures provision and to support school improvements for the benefit of the pupils*
- *Police forces, courts, tribunals – to meet our legal duties to share certain information in circumstances such as the detection and investigation of a crime*
- *Professional bodies – to meet our legal duties to provide educational provision*
- *Subsequent education provider*
- *Youth Support Services – for pupils aged 13+ so they can fulfil their responsibilities under section 507B of the Education Act 1996.*
- *Suppliers and service providers – so that they can provide the services we have contracted them for. These providers then become a data processor.*

Data Processor	The service provided
Adobe Cloud	Document processing
ADT Openeye	CCTV
Arbor	Cloud based pupil database
Aruba Central	Online portal used to manage network and wi-fi across JBA
Aspen's	Allergen information to comply with Natasha's Law
Birmingham City University	Therapeutic services
Canva	Internal and external publication tool
Cityserve	Allergen information to comply with Natasha's Law
Cleverbox	Website host
Compass +	Cloud based pupil careers database
CPOMS	Safeguarding incident logging
Every	Accident reporting system
Groupcall	Attendance information to the Local Authority
Mainframe Engineering	Work experience matching service
Michael's Mentors, Supreme Mentors, MW Impact	Mentoring service

Microsoft Office 365 -	Cloud based IT platform that enables on-line teaching and document storage
Netsweeper	Internet level filtering and cyber controls
Unifrog	Web based career management tool
Redstor	Stores on-line backup copies of all Microsoft held data.
Schools Broadband	Internet Service Provider
School cloud parents evening	On-line appointments system
Senso	Internet monitoring
SISRA	Educational results analysis
Soundswell	Speech and Language Therapy provider
Thrive	Emotional development profiling tool
TootToot	On-line pupil concerns reporting system
Trackit Lights	Behaviour logging including VIP points
Curriculum delivery	
Processor	Curriculum Area
Prodigy Maths	Primary
Spelling Frame	
Timestable Rockstars	
Educationcity.com	
Activelearn Primary	
Charanga	
Twinkl	
Tapestry	EYFS/Primary and throughout the hospital sector
Tinkercad	Design and Technology
Boost portal	Design and Technology, Health and Social Care, ICT
On-line reading test	English
Spelling Frame	
Turinglab.co.uk	ICT
DrFrostmaths	Maths
Mymaths	
Pinpoint Learning	
Soundtrap for education	
Guitar Pro	Music
Kerboodle	Science
GL assessor	Science and Maths
The language gym	Spanish
Educake	English, Maths and Science
Testwise/GL assessment	
Legacy processors	
Evidence Me	Primary (end August 2025)
Accelerated Reader	English
Exam Boards	
OCR, AQA, Edexcel, RSL, WJEC, Cambridge International, LIBF, BCS, Sports Leaders and Trinity College London.	

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 census and early years census (regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013).

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 other organisations which promote children's education or wellbeing in England. Such organisations 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.

Youth support services

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to Birmingham Local Authority, 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.

Parents/carers, or pupils once aged 16 or over, can contact our Data Protection Officer to request that we only pass the individual's name, address and date of birth to Birmingham Local Authority.

Data is transferred by secure email, using cloud-based technology. It is held for 3 years.

Post-16

The government requires that JBA, as far as it is able, monitors the progress of pupils who leave JBA in Y11 on the school leaving day. This may be through direct contact or through the post-16 education provider.

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Parents and pupils' rights regarding personal data

The UK-GDPR gives parents and pupils certain rights about how their information is collected and used. To make a request for your personal information, or to be given access to your child's educational record, please contact enquiry@jamesbrindley.org.uk or dpo@jamesbrindley.org.uk

You also have the following rights:

- The right to be informed about the collection and use of your personal data.
- The right to ask us for copies of the personal information we hold about you (parents or pupils), this is known as a data subject access request. If you wish to make a request, please contact our data protection officer dpo@jamesbrindley.org.uk
- The right to ask us to change any information you think is inaccurate or incomplete.



- Unless the legal basis for processing is legal obligation or public duty, you have the right to ask us to delete your personal information.
- The right to ask us to stop using your personal information.
- Unless the lawful basis for processing is contract, legal obligation or vital interests, there may be circumstances where you have the right “to object to the processing” of your information.
- Rights in relation to automated decision making and profiling.
- The right to withdraw consent, if this is the legal basis for processing. If you change your mind please change your consents on Arbor or contact your centre admin.
- The right to complain to the Information Commissioner if you feel we have not used your information in the right way.

Individuals also have the right for their personal information to be transmitted electronically to other organisations in certain circumstances. This does not apply when the lawful basis for processing is legal obligation, vital interest, public task or legitimate interests.

Other rights

Under data protection law (UK GDPR and Data Protection Act 2018), individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Prevent it being used to send direct marketing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

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.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner’s Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

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:

Kevin Biggs (dpo@jamesbrindley.org.uk), Data Protection Officer, Corporate Services, Bell Barn Road, Edgbaston, Birmingham B15 2AF



Appendix 1 How the Government uses your data

The pupil data that we lawfully share with the Department for Education (DfE) (to comply with regulation 5 of the Education Regulations 2013) 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 [Data collection and censuses for schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk/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 (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://www.gov.uk/government/publications/national-pupil-database-npd-privacy-notice/national-pupil-database-npd-privacy-notice>

Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain 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

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 the Department for Education (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 that 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>