



Data Protection

Privacy Notice for Pupils, Parents and Carers

Last reviewed: December 2020

This document has been prepared in accordance with the Data Protection Act 2018, the UK General Data Protection Regulation (UK GDPR) and other related legislation, and applies to all schools and operations of the [Vale Academy Trust](#).

Document Control			
Review period	24 Months	Next review	December 2022
Owner	Data Protection Officer	Approver	Board of Directors
Category	Public	Type	Global

Privacy Notice for Pupils, Parents and Carers

If you are a pupil and have difficulty understanding anything in this document you should ask a parent, carer or another adult such as a teacher to help you.

Introduction

This privacy notice describes how pupil information is used in schools across the Vale Academy Trust. Where something applies only to secondary schools, or only to primary schools, we have tried to make this clear in the text.

Data protection law obliges us to make this privacy notice easy for a child with capacity (generally considered to be from age 12) to understand. We have made efforts to achieve this goal but it is difficult given the legal requirements for privacy notices, and therefore parents and carers may wish to support their children with their understanding.

What is this privacy notice about?

This document is about how we use information about pupils and what we do with it. We call this information 'personal data', or 'personal information', or 'pupil information'.

Who we are

Your school is part of the Vale Academy Trust ("the Trust", for short). The Trust is the organisation in charge of pupil information. This means the Trust is called the 'Data Controller'.

If you want to talk to us about your personal information, or your child's personal information, you can contact our Data Protection Officer who is Victoria Roberts.

You can email Victoria using: InformationTeam@vale-academy.org

Or you can send her a letter at:

Information Team
Vale Academy Trust
The Studio, St Mary's Convent
Denchworth Road
Wantage
OX12 9AU

The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique learner number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- **Results of COVID testing in order to comply with government guidance**

- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as grades achieved in exams)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Information about free school meal and pupil premium eligibility
- Information for catering management purposes (for example, whether you have school dinners and how often)
- We may use photographs of pupils for identification purposes, such as safeguarding, identity passes and in pupil files, and in the school's management information system. Other ways we might use photographs of pupils are covered in our Photograph Policy, which is available on the Trust website www.vale-academy.org
- For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) for each pupil and may also give us details about a pupil's learning or qualifications
- Images recorded by security CCTV systems on school premises

Why we collect and use pupil information

We collect and hold personal information about our pupils and may also receive information about them from their previous school, local authority and / or the Department for Education (DfE). We use this personal information to:

- support pupil learning
- monitor and report on pupil progress
- provide appropriate care and security for pupils
- assess the quality of our services
- to keep children safe (food allergies, or emergency contact details, for example)
- **to comply with government guidance during the COVID pandemic**
- to comply with the statutory duties placed on us by DfE data collections
- at secondary school, to support pupils in deciding what to do after leaving school

The use of pupil information for these purposes is lawful for the following reasons:

- The Trust is under a legal obligation to collect the information or the information is necessary for us to meet legal requirements imposed upon us such as our duty to safeguard pupils. **And during the COVID pandemic to comply with government guidance and related legislation.**
- It is necessary for us to hold and use pupil information for the purposes of our functions in providing schooling and so we can look after our pupils. This is a function which is in the public interest because everybody needs to have an education. This means we have real and proper reasons to use pupil information.
- We will not usually need consent to use pupil information. However, if at any time it appears to us that we would like to use pupil information in a way which means that we would need consent then we will explain to the pupils/parents/carers (as appropriate) what we want to do and ask for consent. This is most likely to be where we are involved in activities which are not really part of our job as a Trust but we are involved because

we think it would benefit our pupils. If consent is given it may be withdrawn at any time. Usually, we will involve parents/carers even if a pupil can make his/her own decision.

How we collect pupil information

When we collect personal information on our forms, we will make it clear whether there is a legal requirement for the pupils or parents/carers to provide it. If there is no legal requirement then we will explain why we need it and what the consequences are if it is not provided.

Also, where a pupil joins us from another school we will obtain personal information from that school, usually by secure electronic file transfer.

Biometric Systems

Where a school operates a biometric system for pupil identification (where used, these are usually fingerprint-based systems found in catering and library applications, but can include door entry and other systems) the school will require:

- In primary schools, explicit written consent from a parent/carer
- In secondary schools, explicit written consent from both the pupil and a parent/carer

Please refer to our **Data Protection Biometric Data Policy**, which can be found on Trust/school websites, or a copy can be obtained from school offices.

When we give your information to others

In our secondary schools, once our pupils reach the age of 13 the law requires us to pass on certain information to our local authority, or the provider of youth services, who have responsibilities in relation to the education or training of 13-19 year olds. We may also share certain personal information relating to children aged 16 and over with post-16 education and training providers in order to secure appropriate services for them. A parent/carer can request that only their child's name, address and date of birth be passed to the local authority or their provider of local youth services by informing the school office. This right is transferred to the child once he/she reaches the age 16. For more information about services for young people, please go to our local authority website: <https://www.oxfordshire.gov.uk/>

We will not give information about our pupils to anyone without your consent unless the law and our policies allow us to do so. If you want to receive a copy of the information about you that we hold, please contact your headteacher in the first instance.

We are required, by law (under regulation 5 of the Education (Information about Individual Pupils) England Regulations 2013, to pass some information about our pupils to the Department for Education (DfE). This is the part of the Government which is responsible for schools. This information may, in turn, then be made available for use by our Local Authority.

The DfE may also share information about pupils that we give to them, with other people or organisations. This will only take place where the law, including the law about data protection allows it.

The National Pupil Database (NPD)

The NPD is owned and managed by the 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 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.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to [National pupil database: user guide and supporting information - GOV.UK](#).

The DfE may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

Organisations fighting or identifying crime may use their legal powers to contact the DfE to request access to individual level information relevant to detecting that crime.

The Department has robust processes in place to ensure the confidentiality of the data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

We will also normally give information about pupils to their parents or main carers

Where appropriate, we will listen to the pupil's views first. We will also take family circumstances into account, in particular where a Court has decided what information a parent or carer is allowed to have.

We may also disclose your personal information to:

- Your new school if you move schools
- Disclosures connected with Special Educational Needs
- School nurse / school nursing service
- School Counsellor
- CAMHS (Child and Adolescent Mental Health Service)
- The central operations of the Vale Academy Trust
- **During the COVID pandemic, personal information related to COVID testing may be shared with NHS test and trace, and between Trust schools where children from a single household attend multiple Trust schools.**

The information disclosed to these people and services may include sensitive personal information about pupils. Usually this means information about health and any special educational needs or disabilities which pupils may have. We do this because these people need the information so that they can support pupils properly.

Our disclosure of pupil information is lawful for the following reasons:

- The Trust is under a legal obligation to disclose the information or disclosing the information is necessary for us to meet legal requirements imposed upon us such as our duty to look after our pupils and protect them from harm.
- It is necessary for us to disclose pupil information for the purposes of our functions in providing schooling. This is a function which is in the public interest.
- There is a substantial public interest in disclosing pupil information because it is necessary to keep our pupils safe from harm.
- We may not need consent to disclose pupil information. However, if at any time it appears to us that we would need consent then we will ask before a disclosure is made.

Transferring information to a country outside of the UK

We would not normally transfer pupil information to a country outside of the UK. This would only happen if a parent/carer lives abroad or if a pupil moves to a new school abroad. If this happens we will be very careful to make sure that it is safe to transfer the information. We will look at whether that other country has good data protection laws for example. If we cannot be sure that it is safe then we will talk to the parents/carers and the pupil about it before coming to a decision whether to transfer the information.

Clubs, societies and fundraising

Your school may make use of limited personal data (such as contact details) relating to pupils and their parents or carers, for fundraising, marketing or promotional purposes and to maintain relationships with pupils of the school. This might involve transferring information to an association, society or club set up for the purpose, but only where consent has been provided first.

How long do we keep pupil information?

We only keep pupil information for as long as we need to or for as long as the law requires us to. Most of the information we have about a pupil will be in their pupil file (also known as their 'Educational Record'). When a pupil leaves primary school the pupil file is sent to the new school. In secondary school, we usually keep the pupil file until a pupil's 25th birthday unless they move to another school in which case we send their file to their new school. We have a policy which explains how long we keep information. It is called the Records Retention Policy and you can find it on the Trust website: www.vale-academy.org

You have these rights:

- You can ask us for a copy of the information we have about you
- You can ask us to correct any information we have about you if you think it is wrong
- You can ask us to erase information about you (although we may have good reasons why we cannot do this)
- You can ask us to limit what we are doing with your information
- You can object to what we are doing with your information
- You can ask us to transfer your information to another organisation in a format that makes it easy for them to use.

There is more information about your rights in our Data Protection Policy, which you can find on our website: www.vale-academy.org

Complaints

If you have any complaints about what we do with your personal data, you should in the first instance contact our Data Protection Officer using the contact details shown under 'who we are' at the start of this document. If you are not happy with the answer you receive, you can complain to the Information Commissioner's Office:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

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