



# Data Protection Privacy Notice for Pupils, Parents and Carers

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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](#).

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# 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 former, current and prospective pupils', parents' and carers' (we will sometimes refer to these people as "you" or "your" in this notice) information is used in schools across the Vale Academy Trust. It also explains your legal rights and choices regarding your personal information (also known as 'personal data'). Where something applies only to secondary schools, or only to primary schools, we have tried to make this clear in the text.

We have done our best to make this privacy notice easy for a child with capacity (generally considered to be from age 12) to understand but it is difficult given the legal requirements for privacy notices. Therefore, parents and carers may wish to support their children with their understanding.

## Who we are

Your school is part of the Vale Academy Trust ("the Trust"). The Trust is the organisation in charge of using your personal data. This means the Trust is called the 'Data Controller'.

If you want to talk to us about your personal information, you can contact our Data Protection Officer using: [InformationTeam@vale-academy.org](mailto:InformationTeam@vale-academy.org)

Or by sending a letter at:

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

## What sort of information might we collect about you?

Here are some examples of the types of personal information that we collect about you:

- personal identifiers and contacts (such as title, name, gender, marital status and dependents, nationality, country of residence, unique learner number, contact details and postal address)
- characteristics (such as language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- Employment status and occupation including job titles, location of employment or workplace
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)

- assessment and attainment (such as grades and/or marks 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)
- Photographs or videos of pupils as covered in our Photograph Policy, which is available on the Trust website [www.vale-academy.org](http://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
- Any information relating to you, your circumstances and your opinions that you choose to provide to us.

Sometimes the information we collect about you is more sensitive such as information about your health and medical needs. For example, allergy information or information to keep you safe. We call this "special category personal data". Special category personal data relates to things like your health, genetics, biometrics (but only where this is used for identification purposes) racial or ethnic origin, political opinions, sexual orientation, sexual life and religious beliefs.

Here are some examples of your special category personal data that we may collect and use:

- information about your racial or ethnic origin, religious or philosophical beliefs
- information about your sex life, sexual orientation
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical (such as doctors information, child health, dental health, allergies, medication and dietary requirements, vaccinations, etc.)
- photographs and videos of pupils for identification purposes, such as safeguarding, identity passes and in pupil files, and in the school's management information system, cashless catering purposes, door entry, etc.

### **Criminal offence data**

Very occasionally we collect and use information about criminal records and offences (for example, if you are a victim of a crime or accused of a crime or information about criminal convictions) but only where the law allows us to do this.

### **Why we collect and use your 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:

If you are a pupil:

- support pupil learning
- provide appropriate care and security for pupils
- assess the quality of our services
- to keep you safe (food allergies, or emergency contact details, for example)
- to comply with the statutory duties
- at secondary school, to support you in deciding what to do after leaving school
- to comply with a legal obligation, including relating to our duty to safeguard you
- to monitor the use of the schools' IT systems to make sure they are being used appropriately and in accordance with our rules.
- when we are looking into a complaint or carrying out an investigation
- to keep pupils safe and secure including through the use of our biometrics and CCTV systems
- obtaining insurance or asking for advice from someone outside the school
- to protect your, or other person's, vital interests. For example, where you are seriously hurt and we need to share personal information about you with a medical professional in an emergency

If you are a parent or carer:

- keep you updated on your child's attainment and progress;
- keep you informed about operational matters, such as emergency closures, events, and pupil trips;
- process payments for services, schools activities and trips;
- to provide appropriate pastoral care;
- to deal with admissions queries and manage admissions waiting lists;
- to comply with our legal obligations as an education provider;
- to support and safeguard your child.
- when we are looking into a complaint or carrying out an investigation.

We will not usually need consent to use your information. However, if at any time it appears to us that we would like to use your information in a way which means that we would need consent then we will explain to you 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 function 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.

We will ask for consent to use your information in these sorts of circumstances:

- To use images, video and sometimes audio recordings of parents and carers on our premises, on our website or our social media channels. We will only do this if it is appropriate.
- To share photographs (or video) of you with others outside the Trust such as a journalist. For example, where you are prominently featured in a photograph at a Trust event and that image is shared with a journalist for their own journalistic purposes. We will only do this if it is appropriate and if necessary we will ask for your consent first.

- To send you Trust/school marketing and fundraising information by email that you have not specifically requested. Where necessary we will obtain your consent in advance before doing this.
- To share your personal information with organisations that are closely connected with but separate to the Trust such as the PTA, our Alumni organisation so that they can contact you for their own fundraising or marketing purposes. Where necessary, we will obtain your consent in advance before sharing your personal information with these organisations.

### Using your special category personal data

Occasionally, we may need to collect and use your special category personal data such as information about your health. The legal reasons for doing this include:

**Explicit consent:** To operate systems that use your biometric information (please see more information below in the section “Biometric Systems”)

**Vital interests:** For example, to share information about medical conditions with a doctor or hospital in the event of an incident or accident;

**Legal Claims or Judicial Acts:** For example, where your information is required to be used in a legal process;

**Reasons of Substantial Public Interest:** For example, to share information with the police or social services where this is necessary for safeguarding a pupil’s welfare; or for legal and regulatory purposes such as child protection, diversity monitoring, health and safety and information about special educational needs and disability (SEND for short);

**Health or Social Care:** For example, where it is necessary to share information with a speech and language health professional;

**Public Health:** For example, where pupil information needs to be collected and used in connection with a public vaccination programme or in response to a pandemic such as the COVID-19 pandemic. Where this happens, the data is handled by a health professional such as a nurse or someone who the law says must keep your information confidential.

### Do we need your consent to use your personal information?

In most cases, we won’t need your consent to use your personal information. However, occasionally where we do ask for your consent, we will explain clearly what we want to do with your personal information. Usually, it will be for an activity that is not closely related to our job but we think would really benefit our pupils and a school as a whole.

When we ask for your consent to use your personal information here are some important things to remember:

- You have a choice whether to consent or not.
- Even if you do consent you can change your mind at a later date and withdraw your consent at any time
- It’s really easy to stop consenting to us using your information by contacting our Data Protection Officer using the contact details above.
- If you decide to withdraw your consent, that doesn’t mean that our use of your information

before you stopped consenting is against the law.

- If you choose not to provide us with your personal information, or withdraw your consent to us using your information, we may not be able to provide some of our services you have requested from us. We will let you know at the time if this is the case.

### **How we collect your information**

The information we hold about you comes from different people and places. Most of it comes from pupils and parents themselves, for example where parents have completed forms when a child joins a school, or when you communicate with us.

Sometimes we collect information from people and places outside the Trust. This may be a child's previous school (if relevant), a neighbour or relative, professionals such as a social worker or doctor or third party agencies such as the Local Authority, Police or the Department for Education (DfE).

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 share your information with others**

We will never share your information outside the Trust unless the law says we can.

Sometimes, we may share your information with others so they can help us run your school, to help and support you or to use for their own purposes.

We may share your information with others outside the Trust for the following purposes and in the following circumstances:

- Anyone where you have consented
- Organisations/service providers that help us run a school such as IT services, organisations that send out our email, organisations that handle payments
- Professionals who may work inside or outside the Trust, e.g. the school nurse, school counsellor, Child and Adolescent Mental Health Service (CAMHS)
- External organisations with whom we share your personal data and who process it for their

own legal reasons. For example, the PTA, the local authority, Stage 3 complaints panels, the police, the Teaching and Regulation Authority, CAFCASS (this stands for The Children and Family Court Advisory and Support Service)

- Government departments where a law requires us to share information about you in certain circumstances. For example, the DfE, or the tax authorities (HMRC)
- Another Trust/School in the context of a business sale, merger or a similar corporate restructuring
- Another parent or carer: In certain circumstances, before sharing information about you with another parent or carer, we may consult with you first. We will also take family circumstances into account. If there is a court order about what information a parent or carer is allowed to have then we will also take that into account

Sometimes the information we share with others about you might include special category personal data. For example, it could include information about your health, a medical condition or a disability. In rare circumstance it could include information about criminal offences or allegations. We only share this sort of information where data protection law permits us to do so.

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 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. Please consult relevant privacy information provided by the DfE for more details.

### **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](#).

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:**

- The new school if a pupil moves schools
- Disclosures connected with Special Educational Needs
- The central operations of the Vale Academy Trust

### **Our disclosure of 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 the information
- 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. Occasionally we may need to do so, for example if a parent/carers lives abroad or if a pupil moves to a new school abroad.

Some of our suppliers and service providers are located outside the UK and may see your personal information when providing us with software support, or a company which we use for carrying out surveys may handle your contact information on our behalf.

If we do transfer your personal information abroad, we will be very careful to make sure that it is safe to do so. 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.



## **Automated Decision-Making and profiling**

Automated decision-making takes place when an electronic system uses personal information to make decisions about a person without a human being involved. Profiling is a type of automated decision-making that involves collecting various pieces of information about a person in order to make decisions or predictions about that person (for example, how that person may behave or what their preferences are).

We are allowed to use automated decision-making (including profiling) in the following circumstances:

1. Where we have told you about the decision and given you 21 days so that you can ask us to reconsider that decision;
2. Where we have a contract with you or your parents or carers (but appropriate measures must be in place to protect your own rights).
3. In limited circumstances, where you have given us your consent in writing (but appropriate measures must be in place to protect your own rights).

If we make an automated decision about you on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

We won't make decisions that will significantly affect you based solely on automated decision-making (including profiling) unless the law allows it. If ever we do this, we will always let you know.

## **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 your 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 25<sup>th</sup> 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](http://www.vale-academy.org)

## **You have these data protection 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 withdraw your consent to our use of your information, where we use it on the basis of your consent
- You can ask us to transfer your information to another organisation in a format that makes it easy for them to use.

Some of these legal rights do not apply in all circumstances. Also, we may be able to refuse or partially refuse requests in certain circumstances such as where a legal exemption applies. If you want to exercise your legal rights, please contact our Data Protection Officer. In most cases we have one month to respond to you. There is more information about your rights in our Data Protection Policy, which you can find on our website: [www.vale-academy.org](http://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.

### **Changes to our Privacy Notice**

We will update and change this Privacy Notice from time to time to keep it up to date and accurate. So, please check back to look for changes. If we make a big change then we will let you know, usually by email.

**End of document**