



VALLEY INVICTA
ACADEMIES TRUST

VIAT GDPR Privacy Notice
Students

Key document details

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Information for pupils and parents on how information about pupils is used in our educational settings

(Invicta Grammar School, School of Science and Technology Maidstone, The Lenham School, Valley Park School, Valley Invicta Primary School at Aylesford, Valley Invicta Primary School at East Borough, Valley Invicta Primary School at Holborough Lakes, Valley Invicta Primary School at Kings Hill, Valley Invicta Primary School at Leybourne Chase.)

Why do we collect and use pupil information?

We, Valley Invicta Academies Trust (VIAT), are a data controller for the purposes of the Data Protection Act and the General Data Protection Regulations (GDPR) from 25 May 2018. We collect and use pupil information under section 537A of the Education Act 1996, and section 83 of the Children Act 1989. We also comply with Article 6(1)(c) and Article 9(2)(b) of the General Data Protection Regulation (GDPR).

We use the pupil data to:

- Support pupil learning;
- Monitor and report on pupil progress;
- Provide appropriate pastoral care within school and on trips;
- Protect pupil welfare;
- Assess the quality of our services;
- Comply with the law regarding data sharing;
- Support you to decide what to do after you leave school;
- Administer admissions waiting lists.

The categories of pupil information that we collect, hold and share include:

- Personal information (such as name, date of birth, unique pupil number and address);
- Characteristics (such as ethnicity, language, nationality, country of birth, home language and free school meal eligibility);
- Attendance information (such as sessions attended, number of absences and absence reasons);
- Performance and assessment information (such as results of internal assessments and externally set tests, EYFSP, KS1, KS2, Progress 8);
- Exclusion information;
- Relevant medical information, including physical and mental health (such as GP name, practice name and address, any medical conditions, allergies and therapy support);
- Special educational needs information;
- Details of any support received, including care packages, plans and support providers;
- Photographs;
- Safeguarding information.

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

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Our legal basis for using this data

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation;
- We need it to perform an official task in the public interest.

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way;
- We need to protect the individual's vital interests (or someone else's interests).

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn. Each school holds a data inventory. Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

Collecting pupil information

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 General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Storing pupil data

Valley Invicta Academies Trust keep information about you on computer systems and also sometimes on paper.

Secondary schools: We hold your education records securely and retain them from your date of birth until you reach the age of 25, after which they are safely destroyed.

Primary schools: We hold your education records securely until you change school. Your records will then be transferred to your new school, where they will be retained until you reach the age of 25, after which they are safely destroyed.

There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it is the only way we can make sure you stay safe and healthy or we are legally required to do so.

Who do we share pupil information with?

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

- Schools/educational establishments that you attend after leaving us;
- Our local authority (Kent County Council) and their commissioned providers of local authority services;

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- The Department for Education (DfE);
- NHS & Social Services;
- The pupil's family and representatives;
- Educators and examining bodies;
- Our regulator (Ofsted);
- Suppliers and service providers – to enable them to provide the service we have contracted them for;
- Financial organisations;
- Central and local government;
- Our auditors;
- Survey and research organisations;
- Professional advisers and consultants;
- Police forces, courts, tribunals;
- Professional bodies.

Why we share pupil information

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

We share your data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

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>

Aged 14+ Qualifications

For students enrolling for post 14 qualifications, the Learning Records Service will give us your unique learner number (ULN) and may also give us details about your learning or qualifications.

We are required to share information about our pupils with the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Youth support services

What is different about pupils aged 13+?

Once you reach the age of 13, we also pass your information to our 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.

We must provide both your and your parent's/s' name(s) and address, and any further information relevant to the support services' role; this will include telephone contact details.

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This enables them to provide services as follows:

- youth support services;
- careers advisers.

A parent / guardian can request that **only** their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to you once you reach the age 16.

Our pupils aged 16+

We will also share certain information about students aged 16+ with our 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.

KCC has a legal responsibility to track all young people up to the age of 19 (and young adults with learning difficulties or disabilities up to the age of 25). The purpose of collecting this information is to assist the planning of education and training for young people and the support services they require. KCC will inform us of your current activity once you have left the school. This is in relation to education, training, employment with training you may be undertaking and whether you are NEET (not in Education, Employment or Training). Some of this information is then shared with the DfE who use the information to plan at a national level.

This enables them to provide services as follows:

- post-16 education and training provision;
- youth support services;
- careers advice and guidance.

For more information about services for young people, please go to: <http://www.kent.gov.uk/education-and-children/young-people> or the KCC website at www.kent.gov.uk

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.

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

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The department 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.

The Department has robust processes in place to ensure the confidentiality of our 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 the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

Requesting access to your personal data

Under data protection legislation, 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 be given access to your child's educational record, please contact the relevant school via the contact details on the school website and make a '**subject access request**'.

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You 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, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations.

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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/>

Contact:

If you need more information about how Valley Invicta Academies Trust uses your information or to see a copy of your information, please contact:

VIAT Data Protection Officer
Valley Invicta Academies Trust Huntsman Lane Maidstone Kent ME14 5DS
Email
clerk@viat.org.uk

If you would like to get a copy of the information about you that KCC shares with the Department for Education or post-16 providers or how they use your information, please contact:

Information Resilience & Transparency Team
Room 2.71 Sessions House Maidstone Kent ME14 1XQ
Email
dataprotection@kent.gov.uk

You can also visit the KCC website if you need more information about how they use and store your information.

Please go to: <http://www.kent.gov.uk/about-the-council/contact-us/access-to-information/your-personal-information>

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