

United Learning Group policy on privacy notices for pupils and parents/carers.

Scope

The policy set out in this document applies to all United Church Schools Trust (UCST) and United Learning Trust (ULT) schools and offices. The two companies (UCST and ULT) and their subsidiaries are referred to in this policy by their trading name, 'United Learning'.

Where this policy refers to 'School' or 'Head Teacher', within Central Office this should be interpreted to refer to the department where a member of staff works and their Head of Department.

As a values-led organisation our values of ambition, confidence, creativity, respect, enthusiasm and determination are key to our purpose and underpin all that we do.

Definitions

"GDPR" General Data Protection Regulation

"Personal data" means any information relating to an identified or identifiable natural person ("data subject")

An **"identifiable person"** is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person

"Processing" means any operation or set of operations performed upon personal data or sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Policy Statement

Personal data must be processed lawfully, fairly and in a transparent manner. It is a requirement of the GDPR that individuals are provided with the following information when their personal data is collected:

- The identity and contact details of the Data Controller and its representative.
- The purposes for which the personal data is being collected.
- The legal basis for the processing of the personal data.
- Who the personal data may be shared with, if applicable.
- Details of any transfer of the personal data to a country outside of the EEA, which does not have an adequacy decision.
- The period for which the personal data will be stored or, where that is not possible, the criteria used to determine that period.



Individuals must also be informed of the existence of the following rights:

- The right to subject access.
- The right to rectification and erasure of personal data in certain circumstances.
- Where the processing is based on consent, the right to withdraw that consent.
- The right to lodge a complaint with a supervisory authority.
- Whether the data subject is obliged to provide the personal data and the consequences of failure to provide such data.
- Where applicable, the existence of automated decision making as well as the significance and envisaged consequences of such processing for the data subject.

Where United Learning intends to process the personal data for a purpose other than that for which it was originally collected United Learning will, prior to that further processing, provide the individuals concerned with information on that other purpose.

If United Learning receives personal data from another Data Controller it will provide the individuals concerned with the above information within one month of receipt of the data.

Procedure

United Learning will use privacy notices to provide individuals with the above information. All privacy notices will be concise, transparent, written in plain language and free of charge.

All forms used to collect personal data including forms embedded in a website will contain basic privacy information and will refer to a more detailed privacy notice (appendix A-C). The privacy notice for pupils and parents must be available on the school website and in paper form from the school office. Where the legal basis for processing the personal data will be consent schools must follow the guidance in appendix A and comply with the policy for obtaining and recording consent.

Privacy statements will be updated whenever any of the information covered by the statement changes. Template privacy statements will be reviewed by the Information Governance Steering Committee on an annual basis to ensure that they are accurate and up to date. Data Protection Leads are responsible for ensuring school notices are updated in line with this review and that the notice is approved by the LGB.

Websites must also have a website specific privacy notice detailing what personal data is captured by the website and any applicable cookie information.

Project specific privacy notices will be produced for proposed activities not covered by the standard templates prior to any new data collection. Contact your school's Data Protection Lead for assistance with this.

Version number:	2.	Target Audience:	All staff
UCST/ULT/Both:	Both	Reason for version change:	
Date Authorised:	23/09/2019	Name of owner/author:	Alison Hussain
Authorised by:	FIC	Name of individual/department responsible:	Alison Hussain, Company Secretary and Data Protection Officer
Date reviewed:	12/01/2023		
Reviewed by:	IGSC		
Date of next review:	January 2025		



Guidance regarding consent and privacy notices on data collection forms

The United Learning Group policy on privacy notices for pupils and parents/carers sets out what information the law requires us to provide when we are collecting personal data. We advise that schools take a layered approach to providing this information whereby key privacy information is provided on the data collection form along with a link to the school's full privacy notice or information as to where the privacy notice can be found (see appendix B for information regarding the full privacy notice).

The nature of the 'key privacy information' to be provided will depend on the context and whether we are intending to do something unexpected with the personal data. As a minimum the form must say who the data controller is, why we are collecting the data and whether the data will remain in the school or be shared with central office or other organisations.

It is imperative that the full privacy notice is easily accessible. Schools should ensure that the full notice can be found using the search function on their websites. Where personal data is being collected via a web page it should be possible to click directly through to the full privacy statement. If a data collection form is emailed to parents the email should include a link to the full privacy notice. It is best practice to provide parents and pupils with a copy of the full privacy notice the first time you collect data from them as well as making the notice available on your website.

Advice on what should be included in specific forms can be obtained from the Company Secretarial team on company.secretary@unitedlearning.org.uk

Consent

What is consent?

- *Asking for consent means you are offering people genuine choice and control over how you use their data.*

GDPR definition *"any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative actions, signifies agreement to the processing of personal data relating to him or her"*

When is consent needed?

You will need consent for a data processing activity when no other legal basis applies. There are not likely to be many occasions where consent would be required but an example would be where you wish to keep in touch with alumni for the purposes of fundraising.

To determine whether consent is an appropriate legal basis for processing consider:

- Does the data subject have real choice and control over how you use the data?



- If consent was refused would you still process the data?
- If consent is a pre condition of a service it is unlikely to be the most appropriate legal basis for consent.
- If you are in a position of power over individuals you should avoid relying on consent.

If the legal basis for processing the personal data will be consent you need to consider how you will gain and record the individuals' consent.

For consent to be valid the following must be adhered to:

- The request for consent must be prominent and separate from any terms and conditions.
- We must ask people to positively opt in and not use pre-ticked boxes or other types of consent by default.
- The language used must be easy to understand.
- Consent cannot be a pre-condition of a service.
- We must tell individuals that they can withdraw their consent.
- The individual must be able to withdraw consent without detriment.
- We must keep a record of how we got consent from the individual and exactly what they were told at the time.
- We must act on withdrawals of consent as soon as we can.

Are current consents valid?

If your records demonstrate what the individual has consented to, including what they were told and when and how they were told you can continue to rely on it.

If not you will need to seek new consent or identify a different legal basis for processing.

Consent and explicit consent

The GDPR refers to consent and explicit consent. Implied consent, inferred from someone's actions can never be explicit consent, however obvious it might be that they have consented.

The ICO gives the following examples:

- **Consent** can be given by using a positive action to opt it

e.g. Email address (optional) _____

We will use this to send you emails about our products and services.

- **Explicit consent** must be expressly confirmed in words

e.g. I consent to receive emails about your products and special offers

If you are relying on consent to process a special category of personal data it must be explicit consent.

Data Controller



The data controller for personal information held by the Group's independent schools is United Church Schools Trust (UCST). UCST is registered with the Information Commissioner's Office (ICO). The registration number is **Z533407X**.

The data controller for personal information held by the Group's Academies is United Learning Trust (ULT). ULT is registered with the ICO under registration number Z7415170.

The Company Secretary, Alison Hussain, is responsible for ensuring that the Group complies with the Data Protection Law. She can be contacted on company.secretary@unitedlearning.org.uk or 01832 864538.



Pupil and Parent Privacy notice for Hanwell Fields Community School, a United Learning Trust Academy

This notice is intended to provide information about how the Academy will use or “process” personal data about individuals including current, past and prospective pupils (referred to in this notice as “pupils”) and their parents, carers or guardians (referred to in this notice as “parents”).

Responsibility for Data Protection

The Data Controller for personal information held by Hanwell Fields Community School is United Learning Trust (ULT). ULT is registered with the Information Commissioner’s Office (ICO). The registration number is Z7415170.

The Company Secretary is the Data Protection Officer (DPO) and is responsible for ensuring that ULT complies with the Data Protection Law. They can be contacted on company.secretary@unitedlearning.org.uk or 01832 864538.

Alison Gordon, School Business Manager, is responsible for ensuring that the Academy complies with ULT’s policies and procedures in relation to Data Protection. They can be contacted on alison.gordon@hanwellfields.org

Why we collect and use Personal Data about pupils and parents

Hanwell Fields Community School and United Learning Trust collect, create and hold personal information relating to our pupils and may also receive information about them from their previous school/Academy, local authority and/or the Department for Education (DfE). We also collect and hold personal information about our pupil’s parents and carers. We use this personal data to:

- Provide education services (including SEN), career services and extra-curricular activities to pupils; monitor pupils’ progress and educational needs;
- To safeguard pupils’ welfare and provide appropriate pastoral (and where necessary, medical) care.
- To enable pupils to take part in national or other assessments, and to publish the results of public examinations or other achievements of pupils at the Academy.
- To maintain relationships with alumni and the school community.
- For the purposes of management planning and forecasting, research and statistical analysis and to enable ULT to monitor the Academy’s performance.
- To monitor use of the Academy’s IT systems in accordance with the Academy’s Acceptable Use Policy.
- To receive information about current and prospective pupils from any educational institution that they attended.
- To confirm the identity of prospective pupils and their parents.
- To make use of images of pupils in print and digital communications, and for promotion and marketing, in accordance with the School’s policy on taking, storing and using images of children.
- To create invoices and process payments for services such as school meals, school trips etc.



- For security purposes, and for regulatory and legal purposes (for example child protection and health and safety) and to comply with its legal obligations.
- To receive reports from any organisation that may be working with your child.
- Where otherwise reasonably necessary for the Academy's purposes, including to obtain appropriate professional advice and insurance for the Academy.
- To keep you updated about the activities of the Academy including by sending updates and newsletters by email and post.
- To organise trips and visits both in the UK and abroad.

The categories of personal data that we process

The types of personal data processed by the Academy include:

1. Names, addresses, telephone numbers, email addresses and other contact details.
2. Academic records and national curriculum assessment results, including examination scripts and marks.
3. Personal characteristics such as your ethnic group, religious beliefs, any special educational needs you may have and any relevant medical information.
4. Attendance information, behavioural records, any exclusion information.
5. Information provided by previous educational establishments and or other professionals or organisations working with pupils.
6. Where pupils go after they leave the Academy.
7. *For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.*
8. Still and moving images, captured through video and photography and through the School's CCTV system (in accordance with the School's policy on taking, storing and using images of children).

The legal basis for the processing of pupil and parent data

The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller and where necessary to comply with our legal obligations.

Information relating to racial or ethnic origin, religious beliefs or health (point 3) will only be processed with the explicit consent of the pupil or the pupil's parents or when it is necessary for carrying out our legislative obligations. Further information regarding the purposes for which these data would be processed will be provided with the data collection form.

Data Retention Periods

The pupil's educational record will move with the pupil to their next school/Academy. Where the school/Academy is the last school that the pupil attends the records will be kept until the pupil is 25 years old.



Admissions information will be retained for one year post successful admission or closure of appeal.

Information relating to financial transactions will be kept for 7 years.

For further information on how long we keep personal data for please refer to our records retention schedule which can be found here

https://www.hanwellfieldscommunityschool.org.uk/Portals/0/6_%20Records%20Management%20Society%20Retention%20Schedule%20.pdf

Data Security

ULT has in place technical and organisational measures that ensure a level of security appropriate to the sensitive nature of the personal data that we process. For further information regarding how we keep personal data secure please refer to our security of personal data policy.

Data Processors

We use third party data processors to provide us with a variety of services¹. This use of data processors will only take place if is in compliance with the UK GDPR and the Data Protection Act 2018 (and any subsequent legislation related to data protection in applicable jurisdictions).

Decisions on whether we contract with these third party processors are subject to a robust approval process and are based on a detailed assessment of the purpose for which the data processing is required, the level and sensitivity of data involved and the arrangements in place to store and handle the data. To be granted access to pupil level data, data processors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

We currently use the following data processors:

Arbor
CPOMs
Tapestry
Connect Childcare
Library MSL
PASS Surveys
Edurio
Times Table Rockstars
Class Dojo
SATS Companion
Edukey
Entry Sign
Purple Mash

¹ management information systems, accounts software, cloud storage services, applications and software for use in the classroom and to facilitate the secure transfer of data between the Academy and central office



This list is not exhaustive. If you wish to see a full list, please contact the School Office.

Sharing Data with Third Parties (other data controllers)

We may share data with the following recipients:

Keeping in touch and supporting the School

We would like to share pupil and parent personal data with both our Parent Teacher Association and our Alumni Association. We will only do so if you have signed the appropriate consent form. Details of how these groups use your personal data are given on the consent form. Consent may be withdrawn at any time by writing to admin@hanwellfields.org.

References

We will provide references to any other educational institution that the pupil proposes to attend and to potential employers of past and present pupils.

School Inspections

On request we will share academic records with inspectors from Ofsted.

Department for Education

We are required, by law, to pass some information about our pupils to the Department for Education (DfE). This information will, in turn, then be made available for use by the Local Authority.

DfE may also share pupil level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the UK GDPR and the Data Protection Act 2018 (and any subsequent legislation related to data protection in applicable jurisdictions)..

Decisions on whether DfE releases this personal data to third parties are subject to a robust approval process and are 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 level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

For more information on how this sharing process works, please visit:

<https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

For information on which third party organisations (and for which project) pupil level data has been provided to, please visit: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

If you need more information about how our local authority and/or DfE collect and use your information, please visit:

- our local authority at <https://www.oxfordshire.gov.uk/council/about-your-council/access-data-and-information> or
- the DfE website at <https://www.gov.uk/data-protection-how-we-collect-and-share->



[research-data](#)

We will not give information about our pupils to any other third parties without your consent unless the law and our policies allow us to do so.

Rights of the Data Subject

Data protection legislation gives individuals certain rights which are detailed below. If you wish to exercise these rights please contact Alison Gordon, alison.gordon@hanwellfields.org

Right of access to personal data “subject access request”

You have the right to access the personal data that the Academy holds about you. Requests may be made in writing or orally (if requested orally we will make a record of that request to ensure it is met within the required timescale). Parents also have the right to request the personal data held about their children (If your child is over the age of 12 they will need to decide whether to consent to the request). We take the security of personal data seriously so we may ask you for proof of identity to verify that you are entitled to the information requested.

Right to withdraw consent

Where we have obtained your consent to specific processing activities you may withdraw this consent at any time.

Right to rectification

You have the right to have the personal data that we hold about you rectified if it is inaccurate or incomplete. We will respond to such requests within one month.

Right to erasure

You have the right to have personal data erased in certain specific circumstances. If you make such a request we will consider whether the right to erasure applies and give you a full and reasoned response.

Right to restrict processing

In certain circumstances you have the right to request that we restrict the processing of your personal data. If you make such a request we will consider whether the right to restrict processing applies and give you a full and reasoned response.

Further Information

For further information regarding your rights please refer to our rights of the data subject policy.

If you disagree with a decision that we have taken regarding the processing of your personal data please contact ULT’s Company Secretary, Alison Hussain, on 01832 864538 or company.secretary@unitedlearning.org.uk.



You also have the right to lodge a complaint with the information Commissioners Office on 0303 123 1113 or <https://ico.org.uk/for-the-public/> .

Appendix C

How we use your personal data

Who is United Learning

Your school is part of a group of schools called United Learning.

What is this document about?

- This is letting you know why, where, when and how United Learning use data about you as a pupil.
- The person in charge of this for United Learning is called the Data Protection Officer.
- Speak to a teacher, or an adult, that you know from your school if you want to know more about that person and what they do or if you would like to ask them a question.

What sort of data do we keep?

- Your name and how we get in touch with your parents, guardians or carers.
- Your pupil number
- Your home address, phone numbers and email addresses
- Photographs or videos of you
- Things that help us to help you:
 - The country where you were born
 - Your nationality
 - The language that you use
 - The culture and religion that you share with your family
 - If you have free or paid school meals
 - How often you are in school and if you are away a lot of the time
 - If you need to take any medicines or must not eat or touch some things
 - If you get or need any extra help with things
 - Any trouble you have been in and what happened about it.

We need to use your data to:

- Help you to learn
- Make sure you are getting on as well as you can



- Keep you and your friends safe in school
- Make sure we are doing a good job in teaching you
- Help people learn more about your school

It's the law

- There is a law called '*The General Data Protection Regulation (GDPR)*' that means United Learning can only use your data in ways that you know about.
- We can use your personal data because we are educating you, which means that we are carrying out a task that is in the public interest.
- We might use images of you to help people learn about your school or United Learning. We will ask for your parents' or carer's permission before we do, and we will ask if you are happy to be included each time we take photographs or videos.

How long do we keep your data?

- United Learning has rules about how long we will keep data.
- These rules make sure that data is there so that, when you go to other schools, United Learning can give real data to you or other people who need see it.
- United Learning's rules make sure that your data is as safe as it can be.
- United Learning can only keep your data for as long as it may be needed

Who can see your data?

Your data is only shared with other people who need to see it. We will share your data with:

- People within United Learning
- Schools or Academies that you go to after this one
- People in charge of schools in your part of the country
- People in the UK Government
- Hospitals and doctors if you need help
- People who help us to teach or look after you, but you will know who they are and what data they can see.
- We use your information to give you access to websites and learning apps that will help you to learn better

Why do we share your data?



- UK law says we must share your data with the UK Government
- It is used by UK Government to work out how much money United Learning needs to run academies
- Make sure we are teaching you the right things at the right time
- Keep track of what United Learning is doing all around the country in all the academies

You and your personal data

- If you think that you need to see the data that United Learning is keeping about you, speak to a teacher or an adult that you know at school.
- They will help you to find out what you need to do to see your personal data.

