

## Students and Parents/Carers Privacy Notice

### 1. GENERAL INFORMATION

- 1.1. The personal data held regarding pupils includes contact details, assessment/examination results, attendance information, characteristics such as ethnic group, special educational needs, any relevant medical information, and photographs.
- 1.2. The data is used in order to support the education of the pupils, to monitor and report on their progress, to provide appropriate pastoral care, and to assess how well the Trust as a whole is doing, together with any other uses normally associated with this provision in a school environment.
- 1.3. The Trust may make use of limited personal data (such as contact details) relating to pupils, and their parents or guardians for fundraising, marketing or promotional purposes and to maintain relationships with pupils of the Trust, but only where consent has been provided to this.
- 1.4. In particular, the Trust may:
  - Transfer information to any association society or club set up for the purpose of maintaining contact with pupils or for fundraising, marketing or promotional purposes relating to the Trust but only where consent has been obtained first;
  - Make personal data, including sensitive personal data, available to staff for planning curricular or extra-curricular activities;
  - Keep the pupil's previous school informed of his / her academic progress and achievements e.g. sending a copy of the school reports for the pupil's first year at the Trust to their previous school;
  - Use photographs of pupils in accordance with the Photograph and Media Policy.
- 1.5. Where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents or guardian, the Trust will maintain confidentiality unless it has reasonable grounds to believe that the pupil does not fully understand the consequences of withholding their consent, or where the Trust believes disclosure will be in the best interests of the pupil or other pupils. Disclosure for a safeguarding purpose will be lawful because it will be in the substantial public interest.
- 1.6. The Trust will take professional advice from the Local Authority where necessary to ensure that safeguarding and child protection is always

paramount. For further information, you are referred to the Trust's Child Protection Policy.

- 1.7. This Privacy Notice should be read and interpreted together with the Data Protection Policy available at: <https://anglianlearning.org/gdpr-policies/>
- 1.8. Any wish to limit or object to any use of personal data should be notified to the Data Protection Officer in writing, which notice will be acknowledged by the Trust in writing. If, in the view of the Data Protection Officer, the objection cannot be maintained, the individual will be given written reasons why the Trust cannot comply with their request.
- 1.9. The Data Protection Officer, Mark Povey, can be contacted at <[mark@js-ig.com](mailto:mark@js-ig.com)>.

## **2. PERSONAL DATA OF THE PUPILS UNDER THE AGE OF 13 (AND PARENTS/CARERS)**

- 2.1 Anglian Learning collect and hold personal information relating to our pupils and may also receive information about them from their previous school, local authority and / or the Department for Education (DfE).
- 2.2 This information will include your contact details and your child's national curriculum assessment results, attendance information, any exclusion information, where your child goes after they leave us and personal characteristics such as their ethnic group, any special educational needs they may have as well as relevant medical information. We will also use photographs of them.
- 2.3 We use this personal data to:
  - Support your child's learning;
  - Monitor and report on their progress ;
  - Provide appropriate care for your child;
  - Assess the quality of our services ;
  - Comply with the law about sharing personal data.
- 2.4. 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) such as the school census and early years' census. This is the part of the Government which is responsible for schools. This information is then stored in the NPD<sup>1</sup> and may, in turn, then be made available for use by the Local Authority.

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<sup>1</sup> 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. For more information see: <https://www.gov.uk/guidance/how-to-access-department-for-education-dfe-data-extracts>

- 2.5. 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.
- 2.6. The information disclosed to third parties (see Appendix 1) will include sensitive personal information about your child. Usually this means information about their health and any special educational needs or disabilities which your child may have. We do this because these people need the information so that they can support you and your child.
- 2.7. We do not normally transfer your information to a different country which is outside the European Economic Area. This would only happen if one of your child's parents lives abroad or if you move your child to a new school abroad. If this happens we will be very careful to make sure that it is safe to transfer your information. We will look at whether that other country has good data protection laws for example. If we cannot be sure whether it is safe, you shall be contacted and requested information about it so as to ensure data safety.
- 2.8. With regards to point 2.7., as data transfers are not familiar with our activity, no further information cannot be provided at this particular point. Nevertheless, in case we need to transfer your child's data to a different country then, you will be informed whether we consider it safe, along with the reasonable arguments.
- 2.9. We only keep your child's 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 your child will be in our pupil files. We usually keep these until their 25th birthday unless they move to another school in which case we send their file to their new school.

### **3. PERSONAL DATA OF THE STUDENTS OVER THE AGE OF 13 (AND PARENTS/CARERS)**

- 3.1. Anglian Learning collect and hold personal information relating to our students and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE).
- 3.2. We use this personal data to: support your learning, monitor and report on their progress, provide appropriate care for you and assess the quality of our services, to comply with the law about sharing personal data.
- 3.3. This information will include your contact details, national curriculum assessment results, attendance information, any exclusion information, where you go after you leave us and personal characteristics such as your ethnic group, any special educational needs you may have as well as relevant medical information. We will also use photographs of you.
- 3.4. For students 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.

- 3.5. Once our students reach the age of 13, the law requires us to pass on certain information to providers of Youth Support Services in your area who have responsibilities in relation to the education or training of 13-19 year olds. We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers in order to secure appropriate services for them. A parent/guardian can request that only their child's name, address and date of birth be passed to the support service by informing the relevant school. This right is transferred to the child once he / she reaches the age 16.
- 3.1. The 2.4., 2.5., 2.6., 2.7., 2.8., 2.9. clauses are to be applied as well.

#### **4. COVID-19 TESTING – PRIMARY AND SECONDARY SCHOOL**

- 4.1. Every time you use a lateral flow test you must report the results. However, the provision of data is not a statutory requirement.
- 4.2. The Department for Health and Social Care (DHSC) is the data controller for the information that you transfer to them about you and your test results.
- 4.3. The school remains the Data Controller for the data we retain about you for the management of tests and implementing local arrangements in the event of a positive test. You should read both this Privacy Notice and the DHSC COVID-19 Privacy Notice<sup>2</sup> to understand how your personal data is used prior to taking a test.
- 4.4. With regard to the primary school pupils, the following personal data is processed by the school in relation to your test: name, unique code assigned to each individual test and which will become the primary reference number for the tests and test result.
- 4.5. With regard to the secondary school pupils, adding up to the previous paragraph, the following information is processed, additionally:
- Date of birth (and year group)
  - Gender
  - Ethnicity
  - Home postcode
  - Email address
  - Mobile number
  - Parent/guardians contact details (if required)
- 4.6. We will record a negative and void result for the purpose of stock controls of tests and general performance of the testing process.
- 4.7. With regard to the secondary school pupils, we will record that you have declined to participate in a test and this information will not be shared with anyone.

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<sup>2</sup> <https://www.gov.uk/government/publications/phe-privacy-information/covid-19-privacy-information>

- 4.8. This data is processed under the obligations set out in Public Health legislation (Regulations 3(1) and (4) of the Health Service (Control of Patient Information) Regulations 2002 (COPI)) which allows the sharing of data for COVID related purposes and where it is carried out by a health care professional or someone who owes an equivalent duty of confidentiality to that data.
- 4.9. The information will be managed in a confidential manner. Where Covid-19 related data is to be used for general reporting or statistics, steps will be taken to anonymise the data and general numbers used, wherever possible.
- 4.10. We will not share your personal data outside of the UK.
- 4.11. We will not make any automated decisions from your personal data.
- 4.12. The school will maintain a test kit log which will record against your name details of the testing kit which has been provided to you. The school may also record Personal Data about you in its internal COVID-19 results register (the school's COVID-19 results register will not be shared with DHSC).
- 4.13. The member of staff, pupil, student or parent (depending on contact details provided) will be informed of the result by Anglian Learning and advised how to book a confirmatory test.
- 4.14. With regard to the primary school pupils, this information will only be stored securely on locally managed systems with appropriate access controls in schools and will only be accessible to personnel involved in the management of tests and implementing local arrangements in the event of a positive test. The school will retain its test kit log and COVID-19 results register for a period of twelve 12 months from the date of the last entries made by the school into them.
- 4.15. With regard to the secondary school pupils, the information will only be stored securely on local spreadsheets in school/college whilst it is needed. It will also be entered directly onto DHSC digital services for the NHS Test and Trace purposes. Anglian Learning will not have access to the information on the digital service once it has been entered. The information will be transferred to DHSC, who will share this with the NHS, GPs, PHE and the Local Government will use this information for wider test and trace activities as well as statistical and research purposes.
- 4.16. We will use this information to enact our own COVID isolation and control processes without telling anyone who it is that has received the positive test.
- 4.17. This information will be kept by the school for:
- A period of twelve (12) months by the school and by the NHS for eight (8) years, for primary school pupils;
  - Up to 14 days by the school and by the NHS for 8 years, for secondary school pupils.