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<b>RESPONSIBLE PERSON(S):</b>	CHIEF EXECUTIVE HEADTEACHER John Mason School HEADTEACHER Rush Common School HEADTEACHER Fitzharrys School
<b>CURRENT VERSION:</b>	001
<b>DATE APPROVED:</b>	07/12/2018
<b>REVIEW CYCLE:</b>	EVERY 2 YEARS ANNUAL REGISTRATION
<b>NEXT REVIEW DATE:</b>	BEFORE DECEMBER 2020

#### **REVIEW**

The Board of Trustees have reviewed and agreed this policy in accordance with the legal requirements and/or recommendations of good practice.

Having agreed the policy, the Trustees undertake to review or amended the policy if the:

- Government or local authority, i.e. Oxfordshire County Council, produce new or revised regulations and/or guidance;
- Trust identifies and recommends changes which will serve to improve the policy, support the implementation of the policy and/or the related policy processes.

#### **APPROVED BY THE BOARD OF TRUSTEES**

Chair of Trustees: Jonathan Hopkins    Signature: Jonathan Hopkins

Chief Executive: Fiona Hammans    Signature: Fiona Hammans

#### **RESPONSIBLE BODY**

Within this policy “responsible body” means the Trust and/or Trustees of the Abingdon Learning Trust. The responsible body will endeavour to ensure that the level of related training, support, financial and non-financial resources are adequate to fulfil the responsible body’s functions in respect of this policy.

#### **RESPONSIBLE PERSONS**

The responsible persons accept the responsibility and accountability, delegated to them by the responsible body, and undertake to ensure adherence to, and the implementation of this policy and associated plans.

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## 1.0 PRIVACY NOTICE

### Data Protection Act 2018: How We Use Pupils Information

The responsible body collects and holds personal information relating to its 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 data to:

- support our pupils' learning
- monitor and report on their progress
- provide appropriate pastoral care; and
- assess the quality of our services

Once pupils reach the age of 13, the law requires the responsible body to pass on certain information to the nominated government agency which has responsibilities in relation to the education or training of 13-19 year olds. The responsible body 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/carer can request that **only** their child's name, address and date of birth be passed to Adviza by informing the responsible body's Data Controller. This right is transferred to the child once he/she reaches the age 16.

The responsible body will not give information about our pupils to anyone without either the parents' or pupil's consent unless the law and our policies allow us to do so. If you want to receive a copy of the information about your son/daughter that we hold, please contact the responsible body's Data Controller.

The responsible body is 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.

The lawful basis upon which the responsible body processes personal data is that it is necessary in order to comply with the responsible body's and schools' legal obligations and to enable it to perform tasks carried out in the public interest.

The DfE may also share pupil level personal data supplied by the responsible body, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the Data Protection Act, 1998 and the updated legislation of 2018. 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.

## 2.0 WHY DO WE NEED YOUR PERSONAL DATA: PUPILS

The responsible body processes and retains personal data for the following purposes and periods, with the applicable legal basis.

Processing purpose	Legal basis	Retention period
Archiving	6(1)(e) - we are carrying out tasks in the public interest	5 years
Assessments administration	6(1)(c) - we have to comply with a legal obligation	Until the end of the pupil's school career
Census management	6(1)(c) - we have to comply with a legal obligation	6 years
Children in Need administration	6(1)(c) - we have to comply with a legal obligation	Until the age of age 25
Children Looked After administration	6(1)(c) - we have to comply with a legal obligation	Until the age of age 25
Monitoring - Pupil	6(1)(e) - we are carrying out tasks in the public interest	Until the pupil leaves the school
Pupil behaviour and discipline	6(1)(e) - we are carrying out tasks in the public interest	Until the pupil leaves the school
Pupil funding administration	6(1)(e) - we are carrying out tasks in the public interest	Until the pupil leaves the school
Phonics screening	6(1)(c) - we have to comply with a legal obligation	Until the end of the pupil's school career
Pastoral care	6(1)(d) - we are protecting the data subject's vital interests	Until the pupil leaves the school
Free School Meals administration	6(1)(c) - we have to comply with a legal obligation	6 years
General administration	6(1)(c) - we have to comply with a legal obligation	Until the pupil leaves the school
Information, system, network and cyber security	6(1)(e) - we are carrying out tasks in the public interest	Until the pupil leaves the school
Pupil attendance	6(1)(c) - we have to comply with a legal obligation	Until the end of the pupil's school career
Pupil performance administration	6(1)(e) - we are carrying out tasks in the public interest	Until the end of the pupil's school career
Pupil referrals	6(1)(e) - we are carrying out tasks in the public interest	Until the end of the pupil's school career
Pupil transfers	6(1)(c) - we have to comply with a legal obligation	Until the pupil leaves the school
Submissions to local authorities	6(1)(c) - we have to comply with a legal obligation	Until the end of the pupil's school career
Submissions to government	6(1)(c) - we have to comply with a legal obligation	Until the end of the pupil's school career
Special Educational Needs administration	6(1)(c) - we have to comply with a legal obligation	Until the end of the pupil's school career
Pupil health and wellness	6(1)(d) - we are protecting the data subject's vital interests	Until pupil leaves the school
Admissions administration	6(1)(e) - we are carrying out tasks in the public interest	3 years
Accident	6(1)(d) - we are protecting the data subject's vital interests	25 years
Child's Photograph	6(1)(a) - we have the data subject's consent	Until the pupil leaves the school
Dietary Information	6(1)(d) - we are protecting the data subject's vital interests	until no longer applicable
Safeguarding	6(1)(c) - we have to comply with a legal obligation	25 yrs after end of school career
Leavers	6(1)(e) - we are carrying out tasks in the public interest	5 years after leaving the school

### 3.0 WHY DO WE NEED YOUR PERSONAL DATA: TEACHERS

Processing purpose	Legal basis	Retention period
Archiving	89(1) - we do so for archiving purposes	Until service completed
Communications	6(1)(c) - we have to comply with a legal obligation	Until service completed
Employee recruitment and employment	6(1)(c) - we have to comply with a legal obligation	Until service completed
Fraud detection and prevention	6(1)(c) - we have to comply with a legal obligation	Until service completed
Legal and regulatory compliance	6(1)(c) - we have to comply with a legal obligation	Until service completed
Monitoring - Teacher	6(1)(c) - we have to comply with a legal obligation	Until service completed
Submissions to government	6(1)(c) - we have to comply with a legal obligation	Until service completed
Teacher health and wellness	6(1)(d) - we are protecting the data subject's vital interests	Until service completed
Teacher recruitment and employment	6(1)(c) - we have to comply with a legal obligation	Until service completed
Access Control - Physical	6(1)(b) - we have a contract with the data subject	Until service completed
Information, system, network and cyber security	6(1)(c) - we have to comply with a legal obligation	Until service completed
Leavers	6(1)(f) - it's the legitimate interest of a third party (as required under employment legislation)	1 year
Accident	6(1)(d) - we are protecting the data subject's vital interests	Until service completed
General administration	6(1)(e) - we are carrying out tasks in the public interest	Until service completed

#### 4.0 WHY DO WE NEED YOUR PERSONAL DATA: NON-TEACHERS

Processing purpose	Legal basis	Retention period
Archiving	6(1)(e) - we are carrying out tasks in the public interest	1 year
Communications	6(1)(d) - we are protecting the data subject's vital interests	Until service completed
Employee health and wellness	6(1)(d) - we are protecting the data subject's vital interests	Until service completed
Employee recruitment and employment	6(1)(c) - we have to comply with a legal obligation	1 year
Fraud detection and prevention	6(1)(c) - we have to comply with a legal obligation	Until service completed
Leavers	6(1)(f) - it's the legitimate interest of a third party (as required under employment legislation)	1 year
Information, system, network and cyber security	6(1)(e) - we are carrying out tasks in the public interest	Until service completed
Monitoring - Employee	6(1)(e) - we are carrying out tasks in the public interest	Until service completed
Submissions to government	6(1)(c) - we have to comply with a legal obligation	Until service completed

#### 5.0 WHY DO WE NEED YOUR PERSONAL DATA: PROSPECTIVE EMPLOYEES

Processing purpose	Legal basis	Retention period
Employee recruitment and employment	6(1)(c) - we have to comply with a legal obligation	1 year

#### 6.0 COLLECTED PERSONAL DATA

Pupils	Employees
<ul style="list-style-type: none"> <li>• Name and surname</li> <li>• Postal address</li> <li>• Telephone contact details</li> <li>• Confidential correspondence</li> <li>• Email / social networks</li> <li>• Gender</li> <li>• Medical Practice</li> <li>• Online identifiers</li> <li>• Assessment Data</li> <li>• Pupil's Digital Image</li> <li>• Sickness and Absence</li> <li>• Special Dietary Requirements</li> <li>• Start/Leave dates</li> <li>• Behaviour Incidents</li> <li>• Date of Birth</li> <li>• Education history</li> <li>• Accident Report</li> <li>• Family Contacts</li> <li>• First Language</li> <li>• Performance Reports</li> </ul>	<ul style="list-style-type: none"> <li>• Accident Report</li> <li>• Start/Leave dates</li> <li>• Date of Birth</li> <li>• Gender</li> <li>• Right to work in the UK</li> <li>• Work Force Census</li> <li>• Sickness and Absence</li> <li>• Performance Reports</li> <li>• Name and surname</li> <li>• National identity number</li> <li>• Online identifiers</li> <li>• Postal address</li> <li>• Telephone contact details</li> <li>• Banking details</li> <li>• Confidential correspondence</li> <li>• Digital images with identifiers</li> <li>• Education history</li> <li>• Email / social networks</li> <li>• Employee performance data</li> <li>• Employment history</li> </ul>

• Location data	• Financial details
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## 6.1 Pupils

With specific regard to pupils, we collect sensitive personal data and do so under the following legal basis:

- Child Protection Status
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members
  - 9(2)(f) - For legal claims or courts acting in their judicial capacity
  - 9(2)(h) - For purposes of medicine, health or social care or health professionals
- Safeguarding Report
  - 9(2)(b) - For employment, social security or social protection law
- 'Child Adopted from Care' indicator
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members
  - 9(2)(h) - For purposes of medicine, health or social care or health professionals
- 'Child Disadvantaged' status
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members
- 'Child in Need' details
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members
  - 9(2)(h) - For purposes of medicine, health or social care or health professionals
- Disciplinary outcomes
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members
- 'Free School Meals' eligibility
  - 9(2)(b) - For employment, social security or social protection law
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members
  - 9(2)(h) - For purposes of medicine, health or social care or health professionals
- Ethnicity
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members
- 'Service Child' indicator
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members
- Pupil's digital images with identifiers
  - 9(2)(h) - For purposes of medicine, health or social care or health professionals
- Pupil's gender
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members
- Pupil's legal status
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members
- Pupil's premium eligibility
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members
- Reasons for absence
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members

- Reasons for exclusion
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members
- Religion
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members
- Unique Pupil Number
  - 9(2)(d) - Legitimate activities of appropriate (not-for-profit) entity on their own members

## 6.2 Employees

With specific reference to employees, the responsible body collects sensitive personal data and do so under the following legal basis:

- Disciplinary outcomes
  - 9(2)(b) - For employment, social security or social protection law
- Ethnicity
  - 9(2)(b) - For employment, social security or social protection law

Data Subject Type	Personal Data Type	Indirect Source Name
All Employees	Employment History	Previous Employer

Should the responsible body intend to use the information for any other purpose, the responsible body will always inform you beforehand.

## 7.0 COLLECTING PERSONAL DATA FROM THE FOLLOWING INDIRECT SOURCES

Pupils		Trainee Teachers	
Sensitive Personal Data Type	Indirect Source	Personal Data Type	Indirect Source
'Child Protection' Status	Social Care	Performance Reports	University
'Child in Need' Status		Name & Surname	University
'Free School Meals' eligibility	DfE	Confidential Correspondence	University
'Child Disadvantaged' status			

## 8.0 PUPILS: WHO MIGHT WE SHARE YOUR PERSONAL DATA WITH?

The responsible body routinely shares personal data with schools that the pupil might attend after leaving one of our schools, our government department for education and our local authority.

We do not share information about pupils with anyone without consent, unless the law and our policies allow us to do so. The responsible body shares pupils' data with government departments on a statutory basis. This data sharing normally underpins school funding and any educational attainment policy and monitoring. The responsible body may share pupils' personal data with local authorities who provide training to pupils, e.g. around youth support services.

There may be instances where the responsible body needs to share personal data with a service provider who manages automated biometric data processing systems. Biometric data processing is one example of where we will seek parental consent. The National Pupil Database is owned and managed by the Department for Education and contains information about pupils in schools in England.



## 9.0 EMPLOYEES: WHO MIGHT WE SHARE YOUR PERSONAL DATA WITH?

To maintain and improve services, your personal data may need to be shared with or disclosed to service providers, other controllers or, in some cases, public authorities. We may be mandated to disclose your personal data in response to requests from a court, police services or other regulatory bodies. Where feasible, we will consult with you prior to making such disclosure and, in order to protect your privacy, we will ensure that we will disclose only the minimum amount of your information necessary for the required purpose.

Data Subject Type			Organisation name	Type	Country
Pupils	Employees Teachers & Non-Teachers	Trustees Governors Members			
X	X	X	Abingdon Learning Trust & School Websites	Processor	UK
X	X		ICT Provider	Processor	UK
X			Children's Social Care Team	Controller	UK
X	X		DFE	Controller	UK
X			Catering Company	Processor	UK
X			School Photographer	Processor	UK
X	X		Schools	Controller	UK
X	X	X	Health & Safety Executive	Processor	UK
X	X		NHS	Controller	UK
X	X		Oxfordshire County Council	Controller	UK
X	X		SIMS/Capita	Processor	UK
X			School Census	Controller	UK
X			School Pupil Tracker Online	Processor	UK
X			Thames Valley Police	Controller	UK
X			Welfare Call	Controller	UK
	X		University / SCITT	Controller	UK

## 10.0 LOOKING AFTER PERSONAL DATA

The responsible body limits the amount of personal data collected only to what is fit for the purpose of the employment relationship. The responsible body restricts, secures and controls all of our information assets against unauthorised access, damage, loss or destruction; whether physical or electronic, and we ask that our employees assist us in these activities.

The responsible body retains personal data only for as long as is necessary to fulfil the requirements of the employment relationship, respond to requests from employees, or longer, if required by law. If the responsible body retains your personal data for historical or statistical purposes it will ensure that the personal data cannot be used further. While in our possession, with your assistance we try to keep your data up to date.

## 11.0 PUPILS: HOW CAN YOU ACCESS YOUR PERSONAL DATA?

Parents and pupils have the right to request access to information about them that the responsible body holds. To make a request for your personal data, or to be given access to your child's educational record, you may make a request from the responsible body's Data Controller. Parents/pupils also have the right to:

- object to the processing of personal data that is likely to cause, or is causing damage or distress;
- prevent processing for the purposes of direct marketing;
- object to decisions taken by automated means;

- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed;
- claim compensation for damages caused by a breach of data protection regulations.

## **12.0 EMPLOYEE: HOW CAN YOU ACCESS YOUR PERSONAL DATA?**

As an employee you have the following rights.

You have the right to request access to your personal data which the responsible body might hold as well as the rights to rectify, erase or restrict the processing of such information. You may make a request for access to your personal data from our HR Department.

Where you have previously given consent to process your personal data, you have right to request that your personal data be ported (transferred) to a different service provider, or to yourself.

Where it may have been necessary to get your consent to use your personal data, at any moment, you have the right to withdraw that consent. If you withdraw your consent, we will cease.

## **13.0 CONTACT INFORMATION (DATA CONTROLLER)**

Data Controller Email: [ceo@abingdonlearningtrust.org](mailto:ceo@abingdonlearningtrust.org)  
 Abingdon Learning Trust  
 Hendred Way  
 Oxfordshire  
 OX14 2AW  
 United Kingdom

## **14.0 DATA PROTECTION OFFICER**

Name: Nicola Cook (Head of Governance & Compliance)  
 Email: [nicoladposolutions@gmail.com](mailto:nicoladposolutions@gmail.com)  
 Telephone: 01296658502

## **15.0 SUPERVISORY AUTHORITY**

You have the right to lodge a complaint with any Supervisory Authority. See our Supervisory Authority contact details below.

The Information Commissioner's Office	Email: <a href="mailto:international.team@ico.org.uk">international.team@ico.org.uk</a>
Water Lane	Telephone: +44 1625 545 745
Wycliffe House	Website: <a href="http://www.ico.org.uk">www.ico.org.uk</a>
Wilmslow	
Cheshire	
SK9 5AF	
United Kingdom	

## 16.0 FURTHER INFORMATION

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 [www.oxfordshire.gov.uk](http://www.oxfordshire.gov.uk): or
- the DfE website at <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

**END**