

This privacy notice is about how we use information about you and your child and what we do with it. We call this information 'personal data' or 'personal information.'

The Willow Learning Trust (WLT) will process personal data (which may be held on paper, electronically or otherwise) about our students and their parents / guardians and we recognise the need to treat it in an appropriate and lawful manner, in accordance with the General Data Protection Regulation ("GDPR") and the Data Protection Act 2018 (the "DPA").

The WLT is the controller of the personal information you provide to it. This means the Trust determines how and why personal data relating to children and their families are collected and used.

Where we outsource data to a third-party processor, the same data protection standards that the Trust upholds are imposed on the processor.

If you want to contact us about your personal information you can contact our Data Protection Officer (DPO) on [DPOfficer@glenthorne.sutton.sch.uk](mailto:DPOfficer@glenthorne.sutton.sch.uk).

### **What data do we collect?**

The categories of personal information that the WLT collects, holds and shares includes, but is not limited to, the following:

- Personal information, including names, addresses, dates of birth;
- Characteristics, including ethnicity, language, nationality, country of birth and free school meal eligibility;
- Attendance information – number of absences and absence reasons;
- Assessment information – based on National Curriculum and informal test results and teacher assessments;
- Relevant medical information;
- Information relating to special educational needs and disabilities (SEND);
- Behavioural and effort information – including the full range instances from outstanding to unacceptable;
- Photographs for use within the academy, including photographs of individual students used for identification and safeguarding and photographs of activities for use in educational progress monitoring on internal displays;
- Video using closed circuit television (CCTV) captured from cameras mounted around the academy and used only for the purpose of site security and safeguarding children.

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

Whilst the majority of the personal data provided to the Trust is mandatory, some is provided on a voluntary basis. When we are collecting personal data, you will be informed if you are required to provide this data or if your consent is needed.

Where consent is required, the Trust will provide you with specific and explicit information with regards to the reasons why the data is being collected and how the data will be used.

### **Special category personal data**

We may also collect, store and use information about you that is classed as special category personal data. This includes information about a person's:

- Racial or ethnic origin;
- Political opinions;
- Religious or philosophical beliefs;
- Genetic data (such as data relating to the inherited or acquired genetic characteristics of an individual);
- Biometric data (for the purpose of uniquely identifying an individual);
- Data concerning an individual's health (including physical and mental health, medical conditions and sickness absence);
- Sex life or sexual orientation.

Criminal data is not included within the definition of special categories of data but we will process criminal data using the same safeguards we operate in respect of special categories of data.

We will only process special category personal data where a relevant processing condition is met. Usually this will mean that an individual has given explicit consent, the processing is necessary for medical and/or health purposes, for compliance with our obligations in the field of employment, social security or social protection law, necessary for scientific, research or statistical purposes or that the processing is necessary to protect the vital interests of a student or their family (where a person is physically or legally incapable of giving consent).

We will tell you when we need consent and will provide more information. If you give us consent, you can withdraw it at any time by getting in touch with us.

### **Ensuring your personal data is accurate**

We will keep the personal data we store about you accurate and up to date. We will take every reasonable step to erase or rectify inaccurate data without delay. Please tell us if your personal details change or if you become aware of any inaccuracies in the personal data we hold about you. We will contact you periodically to check your details are still up to date.

### **Why do we collect it?**

The WLT collects and uses personal data relating to students and their families, and we may also receive information regarding them from their previous school, local authorities and/or the DfE. For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learning number (ULN) and may also give us details about your learning or qualifications.

The personal data of students and their families is collected and used for reasons including:

- To support student learning;
- To monitor and report on student progress;
- To provide appropriate pastoral care;
- To safeguard children;
- To protect student and staff welfare;
- To assess the quality of our services;
- To administer admissions waiting lists;
- To comply with the law regarding collection and sharing of data;
- To undertake research in order to improve educational services.

If we are not provided with certain personal data, there may be consequences including:

- Academies' inability to take students on roll and maintain registers;
- Students not being eligible to take statutory tests or public examinations;
- The Trust failing to comply with its statutory recording and reporting obligations.

While the majority of information we collect about students is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

### **Our lawful basis for processing your personal data**

The use of your information for these purposes is lawful for the following reasons:

- The WLT is under a legal obligation to collect the information or the information is necessary for us to meet legal requirements imposed upon us such as our duty to safeguard pupils.
- It is necessary for us to hold and use your information for the purposes of our functions in providing schooling and so we can look after our pupils. This is a function which is in the public interest because everybody needs to have education. This means we have a real and proper reason to use your information.
- We will not usually need your consent to use your information. However, if at any time it appears to us that we would like to use your personal data in a way which means that we would need your consent then we will explain to you what we want to do and ask for your consent. If you give your consent, you may change your mind at any time.

We will only collect personal information where there is a legal requirement for you to provide it, or on the school to collect it or for the effective operation of the school. If this is not the case, we will make this clear on the form as it will be an optional question.

## **How do we store your data?**

We will ensure that appropriate measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

We have in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction or deletion. We will only transfer personal data to a third party if that third party agrees to comply with those procedures and policies, or if they put in place adequate measures themselves.

## **When we give your information to others**

Once our pupils reach the age of 13, the law requires us to pass on certain information to the Local Authority 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/carer can request that **only** their child's name, address and date of birth be passed on to the Local Authority by informing our DPO. This right is transferred to the child once he/she reaches the age of 16. For more information about services for young people, please visit the LA website.

We will not give information about our pupils without your consent unless the law and our policies allow us to do so. Our Data Protection Policy is available to view on our website, however if you want to receive a copy of the information about you that we hold, please contact our DPO.

We are required, by law (under regulation 5 of the Education (Information About Individual Pupils) England Regulations 2022, to pass some information about our pupils to the DfE. This information may, in turn, then be made available for use by the LA. The DfE may also share information about pupils that we give to them, with other people or organisations. This will only take place where the law, including the law about data protection allows it.

## **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. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2022.

To find out more about the pupil information we share with the DfE, 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](#).

The DfE 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 and providing information, advice or guidance.

The DfE 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 the DfE releases data to third parties are subject to a strict approval process and based on detailed assessment of:

- who is requesting the data;
- the purpose for which it is required;
- the level and sensitivity of the 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 confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the DfE's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>.

For more information about which organisations the DfE 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 the DfE, please go to: <https://www.gov.uk/contact-dfe>.

If appropriate, we may also disclose some or all of your child's personal data to the following, for example:

- your new school, if you move schools;
- disclosures connected with SEND Support, e.g. non-LA professionals;
- the School Nurse, Counsellor and other support agencies;
- curriculum assessment applications and exam boards;
- safeguarding software;
- insurance and travel companies;
- other contractors so they can provide the services we have contracted them for.

The information disclosed to these people/services may include sensitive personal information about your son/daughter. Usually this means information about your child's health and any special educational needs or disabilities which he/she has. We do this because these people need the information so that they can support your child. A list of

Our disclosure of personal data is lawful for the following reasons:

- The WLT 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 your child's information for the purposes of our functions in providing schooling. This is a function which is in the public interest.
- We have a legitimate interest in disclosing your child's information because it is necessary in order to provide our pupils with education and pastoral care and connected purposes as outlined above.
- We will not usually need consent to disclose your son/daughter's information. However, if at any time it appears to use that we would need consent then this will be sought before a disclosure is made.

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 son/daughter's parent lives abroad or if your child moves to a new school abroad. If this happens we will be very careful to make sure that it is safe to transfer your information. As this is not something we normally do, and we don't know which country we might need to send your information to, we cannot tell you more about it now. If it was necessary to transfer your data to a different country, then we will tell you whether or not we think it is safe and why we have decided that.

### **How long we keep your information**

We keep information electronically and in paper format. We will not keep your personal data for longer than is necessary for the purpose(s) for which we process it. This means that data will be destroyed or erased from our systems when it is no longer required.

For students in secondary academies, we hold education records for students securely and retain them until they reach the age of 25, after which they are safely destroyed.

For students in primary academies, we hold education records for students securely until they change school. Their records will then be transferred to their new school, where they will be retained either until the student subsequently changes school or until students reach the age of 25, after which they are safely destroyed.

Personal data of students' family, guardians and carers will be held with student records and safely destroyed when the students' records are safely destroyed. We have a **Retention Policy** which explains how long we keep information, which is available on our website.

### **You have these 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 ask us to transfer your information to another organisation in a format that makes it easy for them to use.

You can complain about what we do with your personal information. If you are not happy with our answer to your complaint, then 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 545745 if you prefer to use a national rate number.

The privacy notice was reviewed by the Trust Finance, Premises and Audit committee in **October 2022**.

We reserve the right to amend this Privacy Notice at any time. Any amended versions of this Privacy Notice will be published on our website and we advise that you check this webpage periodically for any updated versions of this Privacy Notice.