



# Chiltern Way Academy Trust

Turning Futures Around

## Privacy Notices

**Responsibility for this policy (job title): CFO**

**Responsibility for its review: FPGP**

**Approved: 26/05/2023**

**Next Review Date: Summer 2024**

## **Contents**

1. Privacy notice for students and parents/carers .....	3
2.. Privacy notice for staff .....	9

Dear Student and Parent/Carer

## **1. Privacy notice for students and parents/carers**

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **students**.

We, Chiltern Way Academy Trust, Wendover, HP22 6NL are the 'data controller' for the purposes of data protection law. This privacy notice applies to all schools within our trust.

### **The personal data we hold**

Personal data that we may collect, use, store and share (when appropriate) about students includes, but is not restricted to:

- Name, unique pupil number, contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Student and curricular records
- Characteristics, such as ethnic background, language, eligibility for free school meals
- Medical information, such as dietary needs, medications being taken, medical conditions, including physical and mental health, doctor's information
- Special Educational Needs information
- Exclusion / Suspension information
- Behavioural information, including any alternative provision put in place
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school
- Post 16 learning information
- Destination on leaving school

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

## **Why we use this data**

We use this data to:

- Support student learning
- Monitor and report on student progress
- Provide appropriate pastoral care
- Protect student welfare
- Assess how well the school is doing
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

## **Our legal basis for using this data**

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

- We need to comply with a legal obligation. The school census return to the Department for Education which includes a set of named student records, is a statutory requirement under Section 537A of the Education Act 1996.
- We need it to perform an official task in the public interest

Less commonly, we may also process students' 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 students' 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.

Some of the reasons listed above for collecting and using students' personal data overlap, and there may be several grounds which justify our use of this data.

## **Collecting this information**

Whilst 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.

## **How we store this data**

We keep personal information about students while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our Data Protection policy sets out how long we keep information about students.

## **Data sharing**

We do not share information about students with any third party without consent unless the law and our policies allow us to do so.

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

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusion / suspensions
- The Department for Education
- The student’s family and representatives
- Educators, including other schools in the trust and schools the student attends after leaving us
- Examining bodies
- The Standards and Testing Agency - to administer national curriculum assessments
- Our regulator Ofsted
- Youth Support Services (pupils aged 13+)
- 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
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies
- School governors

## **National Pupil Database**

We are required to provide information about students to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the with certain third parties including: schools, local authorities, researchers, organisations which promote children's education or wellbeing in England, other government departments and agencies, organisations fighting or identifying crime. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

### **Learning records service**

The information you supply is used by the Education and Skills Funding Agency, an executive agency of the Department for Education (DfE), to issue you with a Unique Learner Number and to create your Personal Learning Record as part of the functions of the DfE. For more information about how your information is processed and to access your Personal Learning Record, please refer to:

[Learning Records Service](#)

### **Youth support services**

Once our students reach the age of 13, we are legally required to pass on certain information about them to the local authority and/or provider of youth support services as they have legal responsibilities regarding the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This information enables them to provide youth support services, careers advisers, post-16 education and training services. The information shared is limited to the student's name, address and date of birth. Where a parent/carer provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the student once they reach the age of 16.

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

### **Parents and students' rights regarding personal data**

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

The Trustees of CWA have agreed that parents/carers can make a request with respect to their child's data, providing the child is less than 16 years old.

Parents, or those with parental responsibility, also have the right to access their child's educational record (which includes most information about a student). This right applies as long as the student is aged under 16.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the student or another individual, or if it would mean releasing exam marks before they are officially announced.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or we can provide information about your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our data protection officer.

### **Other rights**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

### **Complaints**

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

- Data Protection Officer, Chiltern Way Academy, Wendover, HP22 6NL [dpo@chilternway.org](mailto:dpo@chilternway.org)

*This notice is based on the [Department for Education's model privacy notice](#) for students, amended to reflect the way we use data in this school.*



## 2. Privacy notice for staff

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at our school.

We, Chiltern Way Academy Trust, Wendover, HP22 6NL are the 'data controller' for the purposes of data protection law.

This privacy notice applies to all schools within our trust.

### The personal data we hold

We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Photographs
- CCTV footage

Data about your use of the school's information and communications system

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records

### **Why we use this data**

The purpose of processing this data is to help us run the school, including to:

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards students
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body

### **Our lawful basis for using this data**

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)
- We have legitimate interests in processing the data

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

### **Collecting this information**

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

### **How we store this data**

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our Data Protection Policy

### **Data sharing**

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

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

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and [maintained schools only] information about headteacher performance and staff dismissals
- The Department for Education
- Your family or representatives
- Educators and examining bodies
- Our regulator [specify as appropriate e.g. Ofsted, Independent Schools Inspectorate]
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Trade unions and associations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants

- Charities and voluntary organisations  
Police forces, courts, tribunals
- Professional bodies
- Employment and recruitment agencies

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

### **Your rights How to access personal information we hold about you**

Individuals have a right to make a **'subject access request'** to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our data protection officer.

### **Your other rights regarding your data**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

## Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**: [dpo@chilternway.org](mailto:dpo@chilternway.org)

*This notice is based on the [Department for Education's model privacy notice](#) for the school workforce, amended to reflect the way we use data in this school.*