



## Privacy Notice - Data Protection Act 2018

### PARENTS – March 2021 Issue

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 our **students**.

It is issued in hard copy upon first admission to the school. Thereafter, updates are posted on the school website.

Vyners School is part of Vanguard Learning Trust, which is a registered 'data controller' for the purposes of Data Protection law. The Trust has a central Data Protection Policy, a copy of which can be obtained from the Trust website ([www.vlt.org.uk](http://www.vlt.org.uk))

Each School within the Trust has appointed a Data Protection Lead (DPL) who is your first point of contact for any queries or subject access requests.

The DPL for Vyners School is – Miss Karen Williams

The Trust is also required to appoint a **Data Protection Officer**. Your DPO is:

Miss Karen Williams, Business Manager, [kwilliams@vynersschool.org.uk](mailto:kwilliams@vynersschool.org.uk), 01895 234342

#### **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:

- Student, parent and emergency contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests, including progress checks
- Curriculum records, such as options choices.
- Characteristics, such as ethnic background, religion, eligibility for free school meals, or special educational needs
- Exclusion / behaviour information
- Details of any medical conditions, including physical and mental health. This may include information about the Covid-19 status of your child or other members of your family. household
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

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

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

We use this data to:

- Support student learning
- Monitor and report on student progress
- Provide appropriate pastoral care and protect student welfare
- To comply with national requirements around controlling the Covid-19 pandemic, and to keep individuals within our school community as safe as possible
- Facilitate student participation in extra-curricular and enrichment activities
- Assess the quality of our services
- Administer admissions waiting lists
- 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
- We need it to perform an official task in the public interest (i.e. it is needed to facilitate the effective education of your child)

Less commonly, we may also process students' personal data in situations where:

- We have obtained consent to use it in a certain way. We may seek that consent in writing, electronically or verbally and, in some instances, we will seek joint consent from yourself and your child
- We need to protect the individual's vital interests (or someone else's interests)

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.

Where you have provided us with consent to use your data, you may withdraw this consent at any time by contacting your DPL in writing (or by email).

### **Collecting this information**

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 implications of not complying.

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

We keep personal information about students while they are attending our school. In order to continue to comply with our legal obligations, we will retain some of the information once your child has left. Information will be destroyed in accordance with the Information and Records Management Society's Record Retention Guidelines (a copy of which is available on the Trust website and may be requested from the Business Manager).

## 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:

- The **London Borough of Hillingdon** – to meet our legal obligations to share certain information with it, such as safeguarding concerns, school admissions, student exclusions and student destination data at the end of Year 11 and 13.
- The **Department for Education** and **Ofsted** - to meet our legal obligations to share certain information with it in relation to student progress and to facilitate the statutory inspection of state schools.
- **Public Health England, NHS Track and Trace** and other public bodies responsible for the management of the pandemic.
- Those with parental responsibility for the student and any other nominated family representatives.
- Other educational providers or third-party organizations - to facilitate the provision of extra-curricular activities and cross-school activities. This is particularly the case for students studying post-16 as part of the 4H Consortium.
- Other schools within Vanguard Learning Trust, where data sharing enables us to support extra-curricular activities or the provision of educational provision.
- **Examining bodies** – in order to facilitate the entry of our students into public exams.
- Suppliers and service providers – particularly **Squidcard, Biostore** and **Capita Sims** to enable them to provide the service we have contracted them for, such as the provision of our cashless catering and management information system. **London Grid for Learning (LGFL)** supplies our free school meal eligibility checker.
- **School Cloud** - our external support provider for remote Parents' Evenings
- **Edulink** which in turn uses the Gov Notify service provided by the UK Govt. This services enables the school to send SMS messages to parents. The school uses its texting service to either communicate whole school emergency messages (e.g. about school closures or lockdowns) or individual / small group messages regarding student welfare.
- Our Payroll Bureau (currently **SGW Payroll** from 1 April 2019) and **HMRC** – to facilitate payments to students who undertake paid work for us
- The **Health and Safety Executive** – to comply with our statutory obligation in relation to accident and RIDDOR reporting
- Security organizations – in particular **EST** who service our CCTV system
- The emergency services (Police, Fire, Ambulance), where information needs to be shared for safeguarding reasons, for the purposes of crime prevention or to provide assistance to a student in an emergency.

The School will facilitate access to a range of online tools in order to support the learning of our students. These include, but are not limited to: Unifrog, Tassomai, Dr Frost Maths, Pixl apps, Kerboodle, Hegarty Maths, Creative Cloud (for photography students), Collins Connect, ExamPro, Bedrock Learning, Seneca Learning, My Tutor, Oxplore and Eventbrite. In order to create students accounts, the school will share the full name, tutorial groups and school email address of the student. Informed consent will be obtained for the sharing of any further information.

The School uses G Suite for Education (from Google) to support the delivery of education. Students will be routinely issued with a google email account, access to Google Calendar, Blogger (media studies students only), restricted access to You Tube and access to Google Classroom. The Privacy Notices for this suite of products can be separately accessed via the following link: [https://edu.google.com/intl/en\\_uk/trust/](https://edu.google.com/intl/en_uk/trust/).

The School will also routinely put information into the public domain in order to congratulate students on their individual achievements and to demonstrate the high standards of education being delivered at Vyners School. Such information may include photos included in the school prospectus and other marketing information, pictures of learning taking place around the school, references on the schools Facebook / twitter accounts, information supplied via regular school newsletters, names in concert programmes etc. The School will, in all cases, remain conscious of its safeguarding responsibilities and will not share any personal information which will put a child at risk.

### **Photographs / film footage of students**

The School will routinely take and retain a photo of every student in the school. This will be stored securely on our management information system (SIMS) and made available internally to staff to facilitate the delivery of education.

The photos are taken and supplied by the School's external photographer – currently **Tempest Photography**.

In order to facilitate the external assessment of students in some subjects (particularly drama and performing arts), the school is required to take film footage of assessed performance, and to supply this to exam boards for moderation.

The School respects the right of parents, and students to object to photographs being used to promote the school. All parents will be asked to specifically let us know whether they are happy for photos of their child to be used for publicity / marketing purposes, as part of the admissions process for joining the school.

Under the Data Protection Act 2018, students over the age of 13 have the right to consent in their own right to the processing of their data, including photographs. A separate privacy notice has been prepared for students.

Whilst students over the age of 13 have the right to consent to their photos being taken and used, the School respects that some parents feel strongly on this issue. Where parents and students take a different view on whether photographs can be taken and used to promote the school, the presumption will be in favour of photos not being taken or used. In such a situation, parents and students will be asked to discuss the issue at home.

### **Google Meet recordings**

The global pandemic of 2020-21 and the requirement for schools to transfer to 'remote learning' has resulted in some lessons, tutorials and educational interventions (e.g. mentoring sessions) being conducted via Google Meet. This is the School's preferred video meeting platform.

Under the 'public interest criterion', the School reserves the right to take recordings of live lessons, virtual tutorials and other sessions for the following purposes:

- To act as a safeguarding control for both students and staff;

- To assist with the School's internal quality assurance process and the professional development of staff;
- To assist with the subsequent investigation of any behaviour concerns.

The recording of live lessons and tutorials are not primarily being taken in order to enable students to catch up on missed sessions. There is a clear expectation that students attend these events in real time, just as if they were physically in school.

Where a session is being recorded, participants will be clearly informed of the fact. Google Meet also clearly indicates a recording is taking place.

The School has set out clear protocols for students and staff surrounding such sessions. These protocols cover such issues as where participation in live events should take place, clothing, standards of acceptable language and behaviour etc.

All Google Meets may be subject to unannounced drop-ins from a member of the Senior Leadership Team. Recordings may also be subject to 'spot checking' by a member of the Senior Leadership team to ensure appropriate standards of conduct are being adhered to by all present.

All recordings will be kept as part of Google Drive and will be subject to automatic deletion 6 calendar months after the date of recording. School Leadership and the local IT team reserve the right to access any recording kept on a member of staff's individual google area.

If concerns have been expressed about the session and are unresolved at the date of deletion, a copy of the recording will be downloaded and kept until the concern or complaint has been resolved. The provisions of the IRMS data retention toolkit (available via [www.vlt.org.uk](http://www.vlt.org.uk)) will be deemed to apply in such cases.

Staff must not share recordings of any sessions with students, parents or other staff without approval from a member of the Senior Leadership Team.

Students, staff and parents are explicitly prohibited from recording, photographing or taking a screenshot of the Google Meet session. Staff or students found to be doing so may be subject to behaviour or disciplinary sanctions.

### **Biometric information**

The School collects and hold biometric information on students in connection with its cashless catering system. Biometric information is also used to facilitate registration of our 6<sup>th</sup> Form students (required for safety reasons). For students in Years 7-11, specific consent is sought from parents to hold this information when a child is admitted to the school. For 6th Form students, joint consent is sought from parents and students during 6th form enrolment. In all cases, if parents or students prefer that the school does not hold this information, we can supply an alternative method of identifying students. Please let Miss Williams or one of the ICT technicians know.

### **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 NPD with other organisations which promote children's education or wellbeing in England. 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.

### **Youth support services**

Once our students reach the age of 13, we are legally required to pass on certain information about them to the London Borough of Hillingdon, as it has legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

Parents/carers, can contact the DPL to request that we only pass the individual's name, address and date of birth to the London Borough of Hillingdon in connection with these services. This right passes to the child once they reach the age of 16 years.

### **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.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 13), or where the child has provided consent. Where parents wish to make a request for a child over the age of 13 years, the School will routinely ask for evidence of the child's consent to provide this data.

The Trust reserves the right to ask an individual making a subject access request to verify their identity before such a request is actioned. This may involve a request to provide photographic ID, proof of address or proof of relationship to the data subject. Proof of identity is not a mandatory requirement and the school will take a pragmatic approach in deciding whether such evidence is reasonably necessary.

The School has prepared a Privacy Notice for students, making them aware of their data protection rights. This document is downloadable from the School website.

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

If you make a subject access request, and if we do hold information about you or 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 the DPL.

Parents in maintained schools are entitled to a copy of their child's educational records under the Education (Pupil Information) (England) Regulations 2005. This provision does not apply to academy schools. Vanguard Learning Trust however considers it is in the best interest of students to ensure that parents are well informed about the educational experience and progress of their child.

Information will therefore be provided to parents, or those with parental responsibility, on a voluntary basis, so long as such disclosure does not otherwise conflict with the provisions of the DPA 2018, including the subject access rights of the student themselves.

### **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 the DPL.

### **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

*This notice is based on the Department for Education's model privacy notice for students, amended for parents and to reflect the way we use data in this school.*

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*This is an extract from the School Admissions Booklet, which all parents are asked to complete as part of their child joining Vyners School.*

Consent to use student photographs for wider marketing / promotional purposes

I have read the information above regarding how my child's photograph will routinely be used. I understand that the school wishes to use photographs and video to support the learning of others, and to promote the school more widely. I understand that I have a right to object to such use, on behalf of my child.

I agree to give my permission for:

- photos of my child to be used for wider school publicity purposes ..... (tick here only if you agree)
- videos of my child to be used for school publicity purposes ..... (tick here only if you agree)
- videos of my child to be used to support the learning of others ..... (tick here only if you agree)

I understand that, once my child is aged over 13, they may exercise their data protection rights independently. Should my wishes, and those of my child, come into conflict, I understand that the School will ask us to discuss this issue at home, so that agreement may be sought within our family as to whether consent is given.

Student name: .....

Signed: .....

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