Policy Name	**PRIVACY NOTICE – PUPILS/PARENTS**
Relevant To	**Federation ☒** **Bidwell Brook Only ☐** **Ellen Tinkham Only ☐**
Policy Type	**Model ☒** **School ☐**
Name of Holder	**Christine Walker**
Subject/Department	**Data Protection**
Approved By	**Full Governing Body ☐** **CBT Governors ☒** **T&L Governors ☐** **SLT ☐**
Version Date (if applicable)	**v2 August 2025**
Date of Last Review	**Autumn Term 2026**
Date of Next Review	**Autumn Term 2027**

1. Purpose of this Notice

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 Notice explains how we collect, use and share personal information relating to pupils and those individuals who hold parental responsibility at our school in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and the Data Use & Access Act 2025, henceforth collectively known as 'data protection legislation'.

We will comply with the data protection principles when gathering and using personal information as set out in our Data Protection Policy and are committed to protecting the privacy and security of our pupils' personal information.

2. Data Controller

As a public authority, we are a 'data controller' which means that we are responsible for deciding how we hold and use personal information about you.

The Learn to Live Federation is known as the 'Data Controller' for data protection legislation purposes and is registered with the Information Commissioner's Office (ICO) under registration number ZC081975.

3. What data we collect

We may collect and process the following personal data relating to our pupils and individuals who hold parental responsibility for those pupils:

- personal identifiers eg full name, date of birth, UPN (Unique Pupil Number)
- contact details (eg home address, email address, telephone number, parent/carer contact information)
- school travel arrangements
- attendance data including sessions attended, absence information and data from previous schools
- educational performance, assessment, achievement and attainment data
- behavioural information including exclusions and any alternative provision put in place
- photographs and videos (eg for school activities or ID)
- data relating to extra-curricular activities
- any correspondence with pupils / parents, including complaints
- IT usage data (eg logins, online learning platforms)

Sensitive Information - Sensitive information (special category data) is personal data that requires more protection because it is sensitive. This includes, but is not limited to:

- free school meal eligibility
- ethnicity (including language spoken and nationality), religion or beliefs
- safeguarding information such as court orders, concerns about child protection or safety and any professional involvement ie social care

- information relating to special educational needs
- relevant medical conditions the school need to be aware of such as doctors' information, child health, dental health, allergies, medication and dietary requirements
- information about local authority funding such as Pupil Premium
- CCTV footage

4. Why we collect this data

The personal data we collect for pupils and parents is essential and enables the school to fulfil their official functions and meet legal requirements. We need this information to:

- assess the pupil's eligibility to attend our school and process their admission request
- support pupil learning and wellbeing
- build a picture of pupils' educational, social and health needs, so that we can support them and provide pastoral care where required
- keep children safe and for safeguarding and welfare purposes
- support pupil learning and to help them reach their educational goals
- monitor and report on pupil progress, attainment, attendance, and behaviour
- provide library, ICT and learning resources
- communicate with our pupils and those with parental responsibility regarding work sent home, progress and other important school matters
- comply with the law and fulfil our legal obligations
- assist in the prevention or detection of crime
- maintain pupil records
- assess eligibility for funding, bursaries, and grants
- respond to complaints, grievances, and discipline investigations
- keep you informed about emergencies and events
- process payments
- assess the quality of our services
- meet statutory duties placed upon us by the Department for Education

Processing for marketing purposes - The school may send marketing information eg details of fundraising activities when we have received consent to do so. Consent can be withdrawn at any time by contacting the school.

Automated decision making and profiling - The school does not use any of your personal data to make automated decisions about you or to profile you. If this changes in any way in the future, the school will update their privacy notices accordingly to explain the nature of the processing and your right to object to it.

5. Legal Basis for processing

When processing personal data about our pupils and those with parental responsibility, we rely upon the following legal bases, as outlined in Article 6 of the UK GDPR.

- it is necessary for us to perform a task carried out in the public interest or in the exercise of our official duties (eg education provision)
- it is necessary for us to comply with a specific legal obligation
- the data subject has provided their consent
- it is necessary to protect the vital interests of a person (eg emergency medical care)

When we process special category data about our pupils and those with parental responsibility, we rely on one or more of the following additional legal bases, as set out in Article 9 of the UK GDPR:

- the data subject has given us their explicit consent
- it is necessary for us to carry out our obligations and exercise our or the data subject's specific rights
- processing is necessary to protect the vital interests of a person where the data subject is physically or legally incapable of giving consent
- it is necessary for the establishment, exercise or defence of a legal claim
- it is necessary for reasons of substantial public interest

Other legal bases listed in Article 9 of the UK GDPR may also apply, depending on the processing required.

6. Who do we share data with and why?

We routinely share pupil information with:

- the educational setting or organisation that the pupil attends after leaving us
- bespoke educational providers who may support our pupils during a transition phase
- our local authority
- youth support services (for pupils aged 13 and over)
- the Department for Education (DfE)
- other local authorities where relevant
- the Learn to Live Federation Governing Body
- Vranch House (Ellen Tinkham School only)
- Earwig
- Canva
- CPOMs
- BromCom
- Wonde
- examination boards
- educational software providers
- law enforcement (where required)
- NHS Services including School Nursing Team
- other external systems which the Learn to Live Federation decides to use to assist them with day-to-day activities to support the efficient running of the school

Department for Education (DfE) - We are required to share information about our pupils with the DfE, either directly, via an approved DfE appointed subsidiary or our local authority for various statutory data collections.

Our duty to share this information comes under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. To find out more about the data collection requirements placed on us by the DfE, go to https://www.gov.uk/education/data-collection-and-censuses-for-schools

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD). The NPD is owned and managed by the DfE. To find out more about the NPD, go to https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information

The law allows the DfE to share pupils' data with certain third parties. For more information about the Department's NPD data sharing process, please visit: https://www.gov.uk/data-protection-how-we-collect-and-share-research-data

For information about which organisations the DfE has provided pupil information to, how the DfE collects and shares pupil data for research purposes, visit their website: https://www.gov.uk/government/publications/dfe-external-data-shares

Children in Need and Looked After Children Information - We are required to share information with the DfE about our pupils who are 'children in need' or 'looked after', so the DfE can carry out their statutory duties regarding data collections. Our duty to share this information comes under regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. To find out more about the data collection requirements placed on us by the DfE go to:

- Children In Need: https://www.gov.uk/guidance/children-in-need-census
- Children Looked After: https://www.gov.uk/guidance/children-looked-after-return

Local Authorities - We may be required to share information about our pupils with the local authority, to ensure they can carry out their statutory duties under the Schools Admission Code, including conducting Fair Access Panels.

We may also be required to share child protection or safeguarding information with them, so we can carry out our statutory duties under section 11 of the Children's Act 2004 (duty to safeguard and promote the welfare of children) and to enable the local authority to carry out their duties under section 47 of the Children's Act 1989 (duty to investigate and take action to safeguard children).

Other Schools - We are required to share a pupil's Common Transfer File and educational record with their next school when they leave us. We are also required to share a pupil's 'curricular record' with the pupil's intended school, upon request. We are required to share this data under the Education (Pupil Information) (England) Regulations 2005.

Educational Psychologists and other professionals - We may share information about a pupil with educational psychologists, health workers, social workers or other professionals, to ensure the pupil receives the appropriate health, wellbeing, and educational support they need. Sharing in these instances, will be carried out with the consent of the parent/carer and/or pupil, where required.

Examination Boards and Moderators - We are required to share information about our pupils with examination boards and moderators, so they can enter our pupils into exams, make accessibility arrangements for them where required, mark their work, and issue their grades.

7. How we collect your personal data

When a child joins our school, we collect pupil information using admission forms completed by the parent/carer. We also collect information using data collection forms (either manually or electronic), information produced from our day-to-day interactions with pupils and parents, information provided by previous schools, local authorities, NHS, Police, the Department for Education and by secure Common File Transfer (CTF).

Most of the information provided is mandatory, but some if it is requested on a voluntary basis. When we ask for your information, we will make it clear whether you are required to provide your information and your rights in relation to any request.

8. Retention Periods

Except as otherwise permitted or required by applicable law or regulation, we will only retain personal data for as long as necessary to fulfil the purposes we collected it for as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

Full details on how long we will retain your personal data for is set out in our Records Retention Schedule available on our website.

Data is securely deleted when no longer needed.

9. Security of your Information

We have put in place measures to protect the security of your information (ie to prevent it being accidentally lost, used or accessed in an unauthorised way).

Where we store your information electronically, it is held securely on the school's IT network. Secure storage is also provided for paper-based records by way of locked filing cabinets / rooms and restricted access permissions.

In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know.

Third parties will only process your personal information on our instructions and where they have agreed to treat information confidentially and to keep it secure.

We have put in place procedures to deal with any suspected data security breach and will notify you and the Information Commissioner's Office of a suspected breach where we are legally required to do so.

10. International Transfers

Every effort is taken to try and use third party suppliers within the boundaries of the European Economic Area (EEA) to ensure the data protection rights of individuals. However, there may be occasions where the system supplied by an organisation is outside of the EEA for example the United States. Where personal data is transferred outside the UK or EEA to a country that is not designated as 'adequate' in relation to data protection law, we will ensure the personal data is adequately protected using International Data Transfer Agreements, appropriate security measures, and other appropriate safeguards.

11. Freedom of Information Act 2000 and Environmental Information Regulations 2004

All schools and academies are considered public authorities for the purposes of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. As such, our school is subject to requests made under this legislation. When responding to these requests, we will not disclose personal information relating to pupils or those holding parental responsibility without consent, as to do so would disobey the data protection principles.

12. Your data protection rights

Your right of access - You have the right to ask us for copies of your personal data. There are some exemptions, which means you may not always receive all the information we process.

Your right to rectification - You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing - You have the right to ask us to restrict the processing of your information in certain circumstances.

Your right to object to processing - You have the right to object to us processing your information where we consider this is necessary for us to perform a task in the public interest. You can also object to us using your contact details to send you direct marketing or fundraising communications.

Your right to data portability - This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you. The right only applies if we are processing information based on your consent or under a contract (or in talks about entering into a contract) and the processing is automated.

Your right to withdraw consent - In circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact your Data Administrator at the school.

Once we have received your notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to unless we have another legitimate basis for doing so in law. However, if you are withdrawing your consent for external photographic use, the school may not be able to remove previous images used for marketing purposes.

Your right to complain - We work to high standards when it comes to processing your personal information. We hope you will always be happy with the way we handle your data so if we have not met your expectations, please let us know so we can put things right. Please contact Nikki Burroughs, Executive Head via email – nikki.burroughs@learntolivefederation.co.uk – in the first instance.

We take any formal complaints about our data collection and use of personal information very seriously. Under the Data Use and Access Act 2025, any complaints to ourselves as the "Data Controller" must be acknowledged within 30 days followed by an investigation and response. Please bear in mind these timescales may be difficult for us to achieve should you submit your complaint either just before or during a school holiday. However, we will do our best to keep you informed about when you can expect us to respond to you.

Further details about our data complaints process can be found in the Data Protection Complaints Policy, along with a form for you to complete. This policy is available to download on our school websites and you are not required to pay a charge for exercising your rights.

After receiving the response to our investigation, if you still remain dissatisfied, you have the right to complain to the Information Commissioner's Office (ICO). The ICO's contact details are available at https://ico.org.uk/concerns Further information about your data protection rights, can be found on the Information Commissioner's Office website at www.ico.org.

If you are a parent/carer and want to request a copy of your child's educational record, this type of request will be handled under The Education (Pupil Information) (England) Regulations 2005. We will respond to these types of requests within 15 working days (ie days when the school is open).

13. Further information

If you have any queries about this privacy notice, or the way your personal information is being handled by the school, see our Data Protection Policy which is publicly available on our website or contact our Data Protection Officer, Jenny Goodall at Devon County Council.

14. Updates to this Notice

We will update this notice periodically. The latest version will always be available on our website or from the school office, and we will notify you when any changes are made.