Privacy Notice for Pupils

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Aquinas Church of England Education Trust

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V2	30/04/26	MCA	Updated to reflect The Data (Access and Use) Act 2025
V3	18/11/26	MCA	Updated to reflect the use of teaching and learning platforms

Template

Privacy notice for Pupils

This privacy notice is for pupils registered at **Rye Community Primary School** (the Academy) part of **AQUINAS Church of England Education Trust** (the Trust).

The Academy collects a lot of data and information about pupils attending the Academy so that it can run effectively as a school and safeguard pupils and so the Trust can meet its responsibilities as the admission authority. This privacy notice explains how and why we collect pupils' data, what we do with it and what rights parents and pupils have in relation to the personal data and information collected. We also have a privacy notice written in child-friendly language, to aid pupils' understanding of their rights in relation to their data. A copy of this can be accessed at https://www.aquinastrust.org/Privacy-at-Aquinas/

Privacy Notice (How we use pupil information)

We are a Church of England primary academy and part of the Trust, which is the data controller for the purposes of General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA). The Trust is a charitable company limited by guarantee under company number 07525735. The Trust's offices are at Magpie Hall Lane, Bromley BR2 8HZ. For further information of the Trust please see www.aquinastrust.org.

As the legal entity responsible for the Academy, the Trust acknowledges its obligations to parents and pupils under the data protection legislation in relation to the personal data of the pupils attending the Academy and is committed to the principles of data protection as detailed in the Trust's Data Protection Policy.

Why do we collect and use pupil information?

We collect and use pupil information under the following lawful bases:

a. where we have the consent of the data subject (Article 6 (a));
b. where it is necessary for compliance with a legal obligation (Article 6 (c));
c. where processing is necessary to protect the vital interests of the data subject or another person (Article 6(d));
d. where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6 (e)).
e. where it is necessary for the purpose of recognised legitimate interests. This condition is lawful basis for the Trust in limited public interest conditions such as the sharing of information for the safeguarding of children, for the prevention, detection or investigation of a crime, emergency response or to support another organisation's public interest task.

Where the personal data we collect about pupils is sensitive personal data, we will only process it where:

a. we have explicit consent;
b. processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and / or
c. processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the

fundamental rights and the interests of the data subject. In addition, the processing satisfies one of the requirements of Schedule 1 Part 2 of the Data Protection Act 2018.

Please see our Data Protection Policy for a definition of sensitive personal data.

We use the pupil data to support our statutory functions of running a school, in particular:

a. to support pupil learning which includes the use of external online learning and homework platforms, assessment tools and systems and additional support where it is considered necessary to support pupil learning;
b. to promote school life and the associated ancillary services such as catering and clubs and activities;
c. to monitor and report on pupil progress;
d. to assess pupils in preparation for examinations and review access arrangements for examinations including public exams;
e. to provide an inclusive education for all our pupils and support those with learning difficulties and health considerations.
f. to provide appropriate pastoral care;
g. to assess the quality of our services;
h. to comply with the law regarding data sharing;
i. for the safeguarding, protection and welfare of pupils and others in the Academy;
j. for the safe and orderly running of the Academy;
k. for the administration and business functions of the Academy.
l. To comply with our statutory functions and responsibilities to our stakeholders and third parties;
m. For external trips and visits where it is necessary to share details with the trips provider/organiser and insurance provider.

The categories of pupil information that we collect, hold and share include:

a. Personal information (such as name, unique pupil number, address, gender and date of birth, other siblings (optional));
b. Parent details (such as name, address, telephone number, email, relationship to pupil, occupation (optional), marital status, court orders in place etc);
c. Characteristics (such as ethnicity, home language (optional), medical conditions, nationality, country of birth (optional), dietary requirements and free school meal eligibility);
d. Attendance information (such as sessions attended, number of absences and absence reasons);
e. Admission information (such as application, supplemental information form and registration paperwork);
f. Emergency contact details;
g. Medical Information (such as medical condition, medication, dietary requirements in relation to a medical condition or religious belief, internal healthcare plans, doctor's details and hospital details);
h. SEN and Disability Information (such as EHC plan, internal assessment information to identify SEN and internal educational plans);
i. Pupil record from previous setting;
j. Educational information (such as exam access arrangements, examination results, school books, school work, internal assessments using systems which are reviewed by teachers, internal educational tracking data, pupil premium eligibility and free school meals eligibility);
k. School Report;
l. Behaviour information (such as incidences of good or poor behaviour, incidences of bullying, exclusions, final warning letter and letters to parents);
m. Pupil welfare and safeguarding information (such as concerns regarding pupil safety and wellbeing, court order, professional involvement both medical and social care)

n. Correspondence relating to the pupil with parents and external agencies.
o. Photographs taken for our information management system which are held on the personal file and on the Academy's information management system and to support the pupils' learning;
p. CCTV footage.
q. Username and password for the Academy's IT systems together with keystrokes undertaken by pupils when using school IT equipment.

The Academy operates IT monitoring software, Smoothwall Monitor Services, on student computers in order to comply with its legal obligations to safeguard pupils. The monitoring software captures the user's keystrokes where the user undertakes activities or uses words which are considered a risk to the safeguarding of students. At risk activities and words are determined by Smoothwall with reference to advice from safeguarding agencies. The software is considered necessary to meet the Academy's safeguarding duties.

From time to time and in certain circumstances, we might also process personal data about pupils, some of which might be sensitive personal data, including information about criminal proceedings / convictions, information about sex life and sexual orientation, child protection / safeguarding. This information is not routinely collected about pupils and is only likely to be processed by the Academy in specific circumstances relating to particular pupils, for example, if a child protection issue arises or if a pupil is involved in a criminal matter. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

We collect information about pupils when they join the Academy and update it during their time on the roll as and when new information is acquired. We may also ask you to review some of the personal information we hold to ensure that it is accurate.

Collecting pupil information
Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this. Where appropriate, we will ask parents for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to use photos or images of pupils on our website or on social media to promote school activities. Parents may withdraw consent at any time.

In addition, the Academy also uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or to investigate other issues. CCTV footage involving pupils will only be processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.]

Storing pupil data
We hold pupil data in accordance with the Trust's Document Management and Retention Policy which can be found at https://www.aquinastrust.org/Policies/.

A significant amount of personal data is stored electronically, for example, on our database, information management systems, finance and payroll systems and IT systems. Some information may also be stored in hard copy format.

Data stored electronically will be saved within a hybrid solution across the Trust. On premises as part of a Local Area Network which is supported by either Information Technology contractors as approved

by the Trust or the Academy's IT Manager within the Microsoft Azure Cloud Platform. All Local Area Networks are appropriately backed up. Microsoft Azure Data Centres are located within the UK and Europe. The contracts with these providers contain the necessary provisions to ensure the security of personal data. All data is backed up and measures are in place to protect the data from cyberattacks and ransomware.

Personal data may be transferred to other countries if, for example, there is a school trip to a different country or the pupil is relocating to a different country and joining a new setting abroad. Appropriate steps will be taken to keep the data secure should this be necessary.

Who do we share pupil information with?

The pupil information and data we are provided with is shared with staff at the Academy and Aquinas central, where necessary. Pupil names and work may also be displayed within the Academy to promote learning and as a part of school life.

We routinely share pupil information with:

- schools that pupils attend after leaving us;
- our local authority, the London Borough of Bromley;
- a pupil's home local authority (if different);
- the Department for Education (DfE);
- Aquinas Advisory Council members and Trustees;
- exam boards.
- Clubs run by external providers.
- Online learning platforms which are used to support the Academy's provision of education.
- Catering providers.
- School Payment System Providers.
- The provider systems for analysing and amalgamating data from across the Trust.
- Platforms and applications to improve teaching, learning and staff development across the Trust. The use of any such platforms and applications may include the use of artificial intelligence (AI) including generative AI. The use of such platforms and applications will have been assessed as suitable by the Trust through analyse via a Data Protection Impact Assessment. Additionally, the use of AI will be in compliance with the Trust's Safe Use of AI Policy.

From time to time, we may also share pupil information other third parties including the following:

- External education providers associated with the National Tutoring Programme;
- Careers services;
- the Police and law enforcement agencies;
- health professionals including the school nurse, educational psychologists and specialists to assess and support the special educational needs of pupils.
- Education Welfare Officers;
- Courts, if ordered to do so;
- Independent Review Panel
- Admission Appeal Panels
- the National College for Teaching and Learning;
- the Joint Council for Qualifications;
- Social Care and other external agencies;
- Prevent teams in accordance with the Prevent Duty on schools;
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances;

- the Rochester Diocesan Board of Education for the purposes of receiving educational support];
- our HR providers, for example, if we are seeking HR advice and a pupil is involved in an issue;
- our legal advisors;
- the Risk Protection Arrangement;
- The school counsellor.

Some of the above organisations may also be Data Controllers in their own right in which case we will be jointly controllers of your personal data and may be jointly liable in the event of any data breaches.

In the event that we share personal data about pupils with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

Why we share pupil information
We do not share information about our pupils with anyone without consent unless the law allows us to do so. We share pupils' data with the DfE on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring. We are required to share information about our pupils with the DfE under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013. We will also be required to share data for safeguarding reasons as detailed in the Government's Guidance 'Keeping Children Safe In Education'.

Department for Education (DfE) and Data collection requirements:
The DfE collects personal information from us and the local authority through various collections the Academy is required to undertake legally. We are required to share information about pupils with the DfE either directly or via the local authority for the purpose of those data collections, under Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013. All information we share with the DfE is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current government security policy framework, which can be found by following this link: https://www.gov.uk/government/publications/security-policy-framework
The DfE uses the pupil data that we lawfully share with them to:
- Calculate school funding, which is based upon numbers of pupils and their characteristics in each school.
- Inform 'short-term' education policy monitoring and school accountability and intervention.
- Support 'longer-term' research and monitoring of educational policy, e.g. how certain subject choices go on to affect education or earnings beyond school.

To find out more about the data collection requirements placed on us by the DfE (for example; via the school census) go to https://www.gov.uk/education/data-collection-and-censuses-for-schools.

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 and early years' 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 2013.
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 https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information.

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
- 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 DfE releases data to third parties are subject to a strict approval process and 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 information, organisations must comply with strict terms and conditions covering the 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 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

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.
- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link: https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

You can also contact the DfE directly using its online contact form by following this link: https://www.gov.uk/contact-dfe.

What are your rights?

You have specific rights to the processing of your data; these are the right to:

- Request access to the information the school holds about you.
- Restrict our processing of your personal data, i.e. permitting its storage but no further processing.
- Object to direct marketing (including profiling) and processing for the purposes of scientific and/or historical research and statistics.
- Have your personal data rectified if it is inaccurate or incomplete.
- Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- Request the deletion or removal of personal data where there is no compelling reason for the continued processing.

Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold ("Subject Access Request"). Where a pupil does not have the maturity to make their own requests for personal data, parents may do so on their behalf in a primary school setting. To make a request for your child's personal data, or be given access to your child's educational record, contact one of the following; although any written request for personal data will be treated as a Subject Access Request.:
The Trust's Data Protection Officer: Mary Capon by writing to her at Aquinas Trust, Magpie Hall Lane, Bromley BR2 8HZ or emailing her at info@aquinastrust.org and inserting 'subject access request' in the subject box.
The Academy's Data Protection Lead: **Sally Hill.**

Subject to the section below, the legal timescales to respond to a Subject Access Request is one calendar month. As the Academy has limited staff resources outside of term time, we encourage parents / pupils to submit Subject Access Requests during term time and to avoid sending a request during periods when the Academy is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. For further information about how we handle Subject Access Requests, please see the Trust's Data Protection Policy.

Parents of pupils who attend academies have a separate statutory right to receive an annual written report setting out their child's attainment for the main subject areas which are taught. This is an independent legal right of parents rather than a pupil's own legal right which falls outside of the data protection legislation; therefore, a pupil's consent is not required even where a pupil is able to make their own decisions in relation to their personal data, unless a court order is in place which states otherwise.

The term "parent" is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the pupil, with whom the pupil lives or whether the pupil has contact with that parent), and also includes non-parents who have parental responsibility for the pupil, or with whom the pupil lives. It is therefore possible for a pupil to have several "parents" for the purposes of education law.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means subject to the Trust's Data Protection Policy;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of our data protection responsibilities.

How to withdraw consent
Where we process your data on the basis of consent, you have the right to withdraw your consent at any time. To withdraw your consent, you can contact the headteacher, **Miss Fran Brassleay** or the Academy's data protection lead **Sally Hill via office@ryeprimary.co.uk.** You are not required to provide a reason for withdrawing consent.

If you have a concern about the way we are collecting or using pupil data, you should raise your concern with us in the first instance by contacting the Trust's data protection officer or the Academy's data protection lead. Alternatively, you can contact directly the Information Commissioner's Office at https://ico.org.uk/concerns/

Complaints

If you have concerns about how we use your personal data or wish to make a complaint about our compliance with data protection law, you should contact the Trust data protection officer (DPO) in the first instance.

Email: info@Aquinastrust.org

Post: Data Protection Officer, Aquinas Church of England Education Trust, Magpie Hall Lane, Bromley BR2 8HZ

We take all data protection complaints seriously and will follow the procedure and investigate them in accordance with our Data Protection Policy

Updating this privacy notice

We may need to update this privacy notice periodically if we change how we collect and process data. The Academy will inform you when this privacy notice has changed; however, we also recommend that you revisit this privacy notice periodically.

How can you find out more information?

If you have any queries regarding this notice or the use of pupil personal information, please contact:

- The Trust's data protection officer, Mary Capon, who can be contacted by writing to her at The Trust's offices are at Magpie Hall Lane, Bromley BR2 8HZ, by emailing info@aquinastrust.org or calling 0203949 7000.
- Alternatively, you can contact the headteacher, **Miss Fran Brassleay** or the Academy's data protection lead **Sally Hill via office@ryeprimary.co.uk.**

If you require further information about how we and/or the DfE store and use your personal data, please visit our website at www.aquinastrust.org and the Gov.UK website, (https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data) or download our Data Protection Policy and Records Management Policy from the website.