

At Weaver Trust, we work to ensure that all in our community believe, belong, and thrive. This policy is informed by our Trust's vision of inspiring all to believe in their own ability to achieve their full potential, both academically and socially. By living by our values of being innovative, responsible and caring, we create powerful learning communities - positively impacting all.

1. Introduction

1.1 This notice explains what personal data (information) we hold about you, how we collect it, how we use it, and how we may share it. We are required to give you this information under data protection law.

2. Definitions

Term	Definition
Trust	Is Weaver Trust Limited, Suite 2, Oak Tree Barn, Hatton Lane, Warrington, WA4 4BX and its subsidiary organisations, and clubs, collectively referred to as the 'Trust'
Department for Education (DfE)	Is the government department which deals with education
Local Authority (LA)	is Cheshire West and Chester Council, The Portal, Wellington Road, Ellesmere Port, CH65 0BA or Halton Borough Council, Municipal Building, Kingsway, Widnes, Cheshire, WA8 7QF
Chief Executive Officer (CEO)	Is Annette Williams
Trust Finance and Operations Manager	Is Heather Cashin
Chair of Trustees	Is Julian Cobley
Trustees	Are Craig Ridge, Matt Lord, Rob Foreman, Chris Heptinstall, Eve Bartlet, Kathy Hardy, and Roxi Corp
Trust Governance and Communications Manager	Is Phil Atkinson
Trust Data Protection Officer (DPO)	Is Tru-Digital Protection T/A Tru-Digital Services Ltd, 5 Brayford Square, London, E1 0SG dpo@trudigital.co.uk
Data Controller	Is the Trust for UK data protection law

<u>Data Protection Act</u> (DPA)	The Data Protection Act 2018 makes a provision about the processing of personal data, which is subject to GDPR, with an amendment in 2023.
<u>Freedom of Information Act</u> (FOI)	The Freedom of Information Act 2000 discloses information held by public authorities or persons providing services for them and amends the Data Protection Act.
<u>UK General Data Protection Regulation</u> (GDPR)	which applies across the European Union (including in the United Kingdom)
<u>Educations Act</u> (EA)	The Education Act 1996 consolidates the Education Act 1944 and certain other educational enactments.
<u>Information Commissioners Office</u> (ICO)	This organisation ensures compliance with the Data Protection Act, Freedom of Information Act, and GDPR and handles formal complaints.

3. Introduction

3.1 This privacy policy applies to all personal data processed by the Trust.

3.2 This policy provides information about how the Trust uses (or "processes") personal data about individuals, including:

- Current, past, and prospective pupils
- Their parents, carers, or guardians (referred to in this policy as "parents")

3.3 This policy applies to any contract between you and the Trust and any other information or policies the Trust may provide about a particular use of personal data. The Trust will update this policy periodically. We will highlight any changes that substantially affect your rights on our website or notify you directly, as far as practicable. If you have any questions about your data or its use, please contact our Data Protection Officer (DPO).

4. What Data Does the Trust Process

4.1 As part of its operations, the Trust may process a wide range of personal data about individuals, including, by way of example:

4.1.1 During the on-roll process

- Names, home address, telephone numbers, email addresses, and other contact details.
- Personal details, e.g. Date of Birth, National Insurance Number.

4.1.2 During your time at the Trust

- Where applicable, data from previous school settings, including but not limited to:
 - Educational record via the DFE transfer

- Attendance and performance data
- Behaviour Logs
- Safeguarding concerns
- Where appropriate, information about individuals' health, special needs, and contact details for their next of kin.
- Images of individuals engaging in Trust activities, and images captured by the Trust's CCTV system
- Visitor logs, login credentials, digital access records, and other relevant logs.
- Information about your use of our information and communication systems, equipment and facilities (e.g. Trust computers).
- Biometric information is used to access cashless payment systems and boarding facilities (if applicable).

5. How do we Use Your Personal Information

5.1 The Personal Data We Hold About Students

5.1.1 We retain certain personal information about you to ensure that we can support your learning and well-being during your attendance at the Trust. Similarly, we obtain information from other sources, such as additional educational institutions, the LA, health and social care agencies, and government bodies, for the same purposes. This information encompasses, but is not limited to, the following:

- Your contact details.
- Assessment of your work.
- Your attendance records.
- Your characteristics, like your ethnic background or any special educational needs.
- Any medical conditions the child may have.
- Information about dietary requirements.
- Details of any behaviour issues or exclusions.
- Photographs or recordings.
- Details of where you will go when you leave us, and which new school you will move to.
- We must retain any SEN information until the student reaches the age of 25.

5.2 The Personal Data We Hold About Parents

5.2.1 We hold personal information about parents and your emergency contacts to ensure we can support students in learning and caring for you at the Trust.

- First name, surname.
- Title.

- Contact details.
- Payment Details (for Nursery Fees)
- Payment details (if using a payment system where the data is stored on-site at the Trust, rather than with the payment company).
- We may also hold some information about parents or family if students have a safeguarding folder.

5.3. Why Do We Use This Data?

5.3.1 We use this data to help run the Trust, including:

- Get in touch with you and your parents when we need to.
- Check how you're doing in all subjects and work out whether you or your teachers need any extra help.
- Provide remote learning opportunities.
- Track how well your Trust is performing.
- Look after your wellbeing.
- Refer to CCTV data as part of behaviour, disciplinary or grievance processes.
- Provide you with access to curriculum tools.
- Provide you with career and work experience opportunities

5.4. Use of Your Data for Marketing Purposes

5.4.1 Where you have given your consent, we may send you marketing information by email or text promoting Trust events, campaigns, charitable causes, or services that interest you.

5.4.2 You can withdraw consent or 'opt out' of receiving these emails or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication or by contacting us.

5.5. Use of Your Data in Automated Decision-Making and Profiling

5.5.1 We do not currently process data from Governors or volunteers through automated decision-making or profiling. If this changes in the future, we will update any relevant privacy notices to explain the processing to you, including your right to object to it.

5.6. Use of Your Data for Filtering and Monitoring Purposes

5.6.1 While in our Trust, we may monitor your use of our information and communication systems, equipment, and facilities (e.g., Trust computers). We do this so that we can:

- Comply with health and safety and other legal obligations.
- Comply with our policies (e.g. child protection policy, IT acceptable use policy) and our legal obligations.
- Keep our network(s) and devices safe from unauthorised access and prevent malicious software from harming our network(s)

6. How Long Will Your Data be Kept?

6.1 We will retain your personal information during your tenure as a student at the Trust. Additionally, we may keep it after your departure, as required by law. If you leave us mid-academic year or relocate to a school outside the locality, your pupil record will be transferred to your new institution through the secure DfE online platform, online applications, or secure email correspondence.

6.2 Our data retention practices are in accordance with our legal obligations under the DFE Guidance, EA, GDPR, and Keeping Children Safe in Education (KCSIE). We also rely on the toolkit provided by the Information and Records Management Society for educational institutions, which delineates the duration for which we retain pupil information. Historical, non-sensitive records related to students' attendance, house assignments, and participation in extracurricular activities may be preserved indefinitely for historical research purposes; however, no academic or disciplinary records will be stored as part of this archival record.

6.3 We will undertake reasonable measures to securely delete or anonymise personal data once it is no longer necessary.

7. Collecting Personal Data

7.1 We collect and use your personal information to fulfil our legal obligations and to perform tasks in the public interest. We rely on the following legal bases under the UK GDPR:

- Article (6)(1)(c) - Legal obligation: the processing is necessary to comply with the law (not including contractual obligations).
- Article (6)(1)(d) – Life or death situation: to protect your interests (or someone else's interest)
- Article (6)(1)(e) - Public task: the processing is necessary to perform a task in the public interest or for official functions (task or function has a clear basis in law).
- Article 6(1)(f) – legitimate interests: where we may need to collect additional personal information to distinguish you from another individual

7.2 When we collect or share 'special category' personal data, we rely on the following legal bases under the UK GDPR:

- Article 9(2)(g) - Reasons of substantial public interest
- We rely on the Equality of opportunity or treatment purpose condition from Schedule 1 of the Data Protection Act 2018 when relying on Article 9(2)(g) to process your special category data.
- Article 9(2)(h) - Health or social care (if a case needs to be stepped up to children's social work services or the management of social care systems or services)
- Article 9(2)(j) - Archiving, research and statistics (for scientific or historical research purposes or statistical purposes)
- Article 9(2)(f) - Legal claims or judicial acts (for the establishment, exercise or defence of legal claims whenever courts are acting in their judicial capacity).

7.3 We collect and use pupil information under sections 19, 537A and 507B of the Education Act 1996, section 83

of the Children Act 1989, The Education (Information About Individual Pupils) (England) Regulations 2013, and The Localism Act 2011.

7.4 We may also collect and use information about your health or other protected characteristics, such as your religion, ethnicity, or other sensitive personal details. These are special categories of personal information, and we will only collect and use them when necessary. The legal basis here is Article 9(2)(i) of the UK GDPR.

7.5 Public Health England also has special permission from the Secretary of State for Health and Social Care to use personally identifiable information without your consent, where this is in the public interest. This is known as ‘Section 251’ approval and includes using the information collected by the NHS to help protect the public in a health emergency. The part of the law that applies here is Section 251 of the National Health Service Act 2006 and the associated Health Service (Control of Patient Information) Regulations 2002

7.6 Our Basis for Using Special Category Data

7.6.1 For ‘special category’ data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We need to perform or exercise an obligation or right related to employment, social security, or social protection law.
- We need to protect an individual’s vital interests (i.e. preserve your life or someone else’s life) in situations where you’re physically or legally incapable of giving consent.
- The data in question has already been made publicly available by you.
- We need to process it for the establishment, exercise or defence of legal claims.
- We need to process it for reasons of substantial public interest as defined in legislation.
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law.
- We need to process it for archiving, scientific, historical, or statistical research purposes, and the processing is in the public interest.

7.6.2 We will only collect and use criminal offence data when we have both a lawful basis, as set out above, and a condition for processing set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way.
- We need to protect an individual’s vital interests (i.e. preserve your life or someone else’s life) in situations where you’re physically or legally incapable of consent.
- The data in question has already been made publicly available by you.

- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights.
- We need to process it for substantial public interest as defined in legislation.

8. Collecting this Data

8.1 While most of the information we collect about you is mandatory, some information can be provided voluntarily.

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

8.3 Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts or tribunals

9. Who do we Share Your Personal Information With?

9.1 We do not share information about your child with any third party without your consent, unless the law and our policies permit us to do so.

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

- DfE (statutory for Trust funding and educational attainment policy and monitoring) and other government agencies and local authorities as required (e.g. to resolve funding queries).
 - Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013 for school census returns.
 - Regulation 4 of The Education (Information About Individual Pupils) (England) Regulations 2013, if you attend Harbour Vale School
- LA teams are working to improve outcomes for children and young people.
- Commissioned providers of LA services (such as education services).
- Other schools or colleges that you may attend after leaving us.
- Local forums with Trusts and LA representatives, which support in-year fair access processes and managed moves between schools.
- Local multi-agency forums that provide SEND advice, support, and guidance.
- Partner organisations signed an Information Sharing Agreement, where necessary, which may include Police, Trust nurses, doctors, mental health workers and NHS Foundation Trust.
- Schools or other trusts in our local collaboration aim to enable the moderation of pupil assessment outcomes, support collaborative working through joint analysis, and ensure that children continue to receive appropriate educational provision.
- LA must share information with external moderators (teachers with recent relevant experience)

of end-of-key-stage assessments to meet statutory requirements from the Standards and Testing Agency (STA).

- Third-party providers of information services (such as student apps) are required to deliver the curriculum.
- Contracted providers of services (such as Trust photographers, filtering and monitoring, and catering providers) where consent was given.

9.3 We will share personal information with law enforcement or other authorities if required by applicable law.

9.4 We must share information about our students with LA and the DfE under section 3 of The Education (Information About Individual Students) (England) Regulations 2013.

10. International Transfers of Personal Data

10.1 We have recorded where we store all the personal data processed in our Trust and by third-party services. If a third-party service stores data in the US, we have ensured that safeguards, such as standard contractual clauses, are in place to allow the safe flow of data to and from the Trust.

11. The National Pupil Database (NPD)

11.1 The NPD is owned and managed by the DfE and contains information about students in schools in England. It provides invaluable evidence on educational performance to inform independent research and studies commissioned by the DfE. It is held in electronic format for statistical purposes. This information is securely collected from various sources, including schools, local authorities, and awarding bodies.

11.2 We are required by law to provide information about our students to the DfE as part of statutory data collection, 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 Students) (England) Regulations 2013.

11.3 The DfE may share information about our students 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

11.4 The DfE has robust processes in place to ensure the confidentiality of our data is maintained, and stringent controls are in effect regarding access to and use of the data.

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

- Who is requesting the data
- The purpose for which it is required
- The level and sensitivity of data requested and
- The arrangements are in place to store and handle the data

11.6 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.

11.7 To find out more about the NPD, go to the NPD privacy notice

12. Learning Records Service (LRS)

12.1 The LRS issues Unique Learner Numbers (ULN) and creates Personal Learning Records across England, Wales, and Northern Ireland. It is operated by the Department for Education (DfE) in England.

12.2 The LRS supports the DfE by collecting learner information from training providers and awarding organisations. For relevant data protection legislation, the DfE is the data controller for the personal information we process.

12.3 LRS will receive your data from:

- Schools, colleges, local authorities, and training/learning providers
- Accredited achievement data supplied by awarding organisations

12.4 The aims of LRS are to:

- Create a trusted and verified record of learning for citizens across England, Wales, and Northern Ireland
- Enable education organisations to access these records when required to support individuals with enrolment in education and careers advice, ensuring they get access to the correct education and government funding.
- Issue you with a Unique Learner Number (ULN)
- Create your Personal Learning Record (PLR)
- Collect entries and results data that is used to create national statistical publications.

12.5 To find out more about LRS, go to the LRS Privacy Notice

13. Your Rights

13.1 Under the GDPR, you have rights which you can exercise free of charge, which allow you to:

- Know what we are doing with your information and why we are doing it.
- Ask what information we hold about you (Subject Access Requests).
- Please ask us to correct any errors in our information about you.
- Object to direct marketing.
- Make a complaint to the ICO.
- Withdraw consent (if applicable).

13.2 Depending on our reason for using your information, you may also be entitled to:

- Ask us to delete the information we hold about you.
- Have your information transferred electronically to yourself or another organisation.
- Object to decisions being made that significantly affect you.
- Object to how we are using your information.

- Stop using your information in specific ways.

13.3 We will always seek to comply with your request. However, we may be required to retain or use your information to comply with our legal obligations. Please note: your request may delay or prevent us from delivering your service.

13.4 For further information about your rights, including the circumstances under which they apply, see the ICO's guidance on individuals' rights under the GDPR.

13.5 If you want to exercise your rights, please contact our Data Protection Officer (DPO).

14. Keeping Your Personal Records Secure

14.1 We take the security of personal data seriously and have implemented appropriate technical and organisational measures to protect personal data against unauthorised or unlawful processing, as well as accidental loss, destruction, or damage. These measures include:

- Regular data protection training for all teaching staff, volunteers, and governors.
- Use of strong passwords and encryption
- Regular security assessments and audits
- Secure storage and disposal of personal data
- Restriction of access to personal data to authorised personnel only

14.2 In the event of a data breach, we will take appropriate steps to mitigate the impact and comply with our legal obligations, including notifying affected individuals and the Information Commissioner's Office where necessary.

15. Complaints

15.1 If you have any concerns about how we handle your data, please don't hesitate to contact our Data Protection Officer (DPO). If you are unsatisfied with our response, you can complain to the Information Commissioner's Office (ICO).

15.2 You can contact the ICO at:

Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF

Tel: 0303 123 1113

Report a concern online at <https://ico.org.uk/make-a-complaint/>.

16. Further Information

16.1 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>.
To contact DfE: <https://www.gov.uk/contact-dfe>.

Approved by:

Chair of Trust

CEO

Date: