



## PRIVACY POLICY



### INTRODUCTION

Haute Vallée School is a Government of Jersey funded Secondary School educating pupils aged 11 to 16. Haute Vallée School is registered as a 'Controller' under the Data Protection (Jersey) Law 2018. We take our responsibilities as a data controller seriously and are committed to using the personal data we hold in accordance with the law.

This privacy notice provides detailed information about how we process personal data. Please read it carefully and, if you have questions regarding your personal data or its use, please contact the school via email on [enquiries@hv.sch.je](mailto:enquiries@hv.sch.je); telephone on 01534 736524; or post at Haute Vallée School, La Grande Route du Mont a L'Abbe, St Helier, Jersey, JE2 3HA.

### TYPES OF PERSONAL DATA WE PROCESS

We process personal data about prospective, current, and past: pupils and their parents; staff, suppliers and contractors; and other individuals connected to or visiting the school.

Further information for staff can be obtained from the People Service's Department and through the Chief Operating Office's privacy policies that are published [here](#). A link to the Government of Jersey's Employee privacy notice can be found [here](#).

The personal data we process takes different forms – it may be factual information, expressions of opinion, images or other recorded information which identifies or relates to a living individual. Examples include:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- family details; parental responsibility;
- Medical information that is relevant to the member of staff or pupil;
- admissions, attendance, academic, disciplinary and other education related records, information about special educational needs, references, examinations and marks;
- education and employment data;
- images, audio, and video recordings (please see the school's CCTV policy for more information);
- financial information;
- social security number;
- courses, meetings, or events.

As a school, we need to process special category personal data (e.g. concerning health, ethnicity, religion or biometric data) and criminal records information about some individuals (particularly pupils and staff). We do so in accordance with the applicable law (including with respect to safeguarding or employment) and, where necessary, relying on individuals' explicit consent.



## COLLECTING, HANDLING AND SHARING PERSONAL DATA

We collect most of the personal data we process directly from the individual concerned (or in the case of pupils, from their parents). In some cases, we collect data from third parties (for example, referees, previous schools, the Disclosure and Barring Service, or professionals or authorities working with the individual).

Personal data held by us is processed by appropriate members of staff for the purposes for which the data was provided, in accordance with section 4 below. We take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to school systems. We ensure that personal data is not transferred outside of the European Economic Area unless we are satisfied that the personal data will be afforded an equivalent level of protection.

We do use web services that are hosted outside the European Economic Area, for example Google Classroom and Facebook. This is processed in the United States but has been approved by another competent supervisory authority under Article 40 of the GDPR or equivalent statutory provisions, together with binding and enforceable commitments of the controller and processor to apply the appropriate safeguards, such as information security procedures and checks.

We upload student data to the MiS (SIMS Database) that is hosted in the European Union. In addition, children's data may be uploaded to GL Assessments, exam boards such as AQA, EdExcel etc. A small amount of personal data is also stored (name, email address) on the Dynamic Learning database and parent / carer contact data to SIMS for the InTouch service. All these services are hosted within the European Union.

In the course of school business, we share personal data (including special category personal data where appropriate) with third parties such as examination boards, the school's professional advisors at the Department for Children, Young People, Education and Skills, Multi trust agencies and other Departments within the Government of Jersey where appropriate. These departments and organisations are obliged to keep your details securely and only use your information in accordance with our specific directions.

We may disclose information to other departments where it is necessary, either to comply with a legal obligation, or where permitted, under other legislation. Examples of this include, but are not limited to: where the disclosure is necessary for the purposes of the prevention and/or detection of crime; for the purposes of meeting statutory obligations; or to prevent risk of harm to an individual, etc.

We process data and have data sharing agreements with the following organisations;

- SIMS - owned by Education Software Solutions (MiS Database);
- GL Assessments;
- Examination boards including AQA, OCR, Pearson, CIE, WJEC;
- In Touch;
- Google Classroom, Hegarty Maths, Canva, 4Matrix, AlfieCloud, Autodesk, ClickView, Google Colab, JEP App, Lexia, Reading Plus, Renaissance, Vimeo, Wonde, Start Profile, Sparx, Complete Maths, Spellzone, Epic Library, thebigword, Eventbrite, Century Tech, Athlete Pathways; -

*\*This list is subject to change and will be updated annually to reflect any changes.*

We will continually review and update our sharing agreements to reflect changes in our services and feedback from service users, as well as to comply with changes in the law.



## PURPOSES FOR WHICH WE PROCESS PERSONAL DATA

We process personal data to support the school's operation for pupils aged 11 to 16, and in particular for:

- The provision of education to pupils to support teaching and learning including the administration of the school curriculum and timetable; attendance; monitoring pupil progress and educational needs; reporting on the same internally and to parents; administration of pupils' entries to examinations, reporting upon and publishing the results; providing references for pupils (including after a pupil has left);
- The provision of educational support and related services to pupils (and parents) including the maintenance of discipline; provision of careers and library services; administration of sports fixtures and teams, school trips; provision of the school's IT and communications system and virtual learning environment (and monitoring the same) all in accordance with our IT policies;
- The safeguarding of pupils' welfare and provision of pastoral care, welfare and health care services by school staff;
- Compliance with legislation and regulation, submission of termly census information to the Department for Children, Young People, Education and Skills;
- Operational management including the compilation of pupil records; the administration of invoices, fees and accounts; the management of the school's property; the management of security and safety arrangements (including the use of CCTV in accordance with our CCTV Policies and monitoring of the school's IT and communications systems in accordance with our Acceptable Use Policy); management planning and forecasting; research and statistical analysis; the administration and implementation of the school's rules and policies for pupils and staff; the maintenance of historic archives and other operational purposes;
- Staff administration including the recruitment of staff/ engagement of contractors (including compliance with DBS procedures); administration of payroll, pensions and sick leave; review and appraisal of staff performance; conduct of any grievance, capability or disciplinary procedures; and the maintenance of appropriate human resources records for current and former staff; and providing references;

## LAWFUL BASES FOR PROCESSING

We may process your personal data for the above purposes because:

- it is necessary for the performance of a contract (e.g. a Parent Contract, or an employment contract with a member of staff) or in order to take steps at a contracting party's request prior to entering into such a contract;
- it is necessary for our compliance with our legal obligations. In this respect, we may use personal data to exercise or perform any right or obligation conferred or imposed by law in connection with employment; and/or for the prevention and detection of crime, and in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities;
- it is necessary for our third party's legitimate interests;
- it is necessary for us to provide as a Public Function the best education possible to our pupils;
- it is necessary to protect an individual's vital interests (in certain limited circumstances, for example where a pupil has a life-threatening accident or illness while at school and we have to process their personal data in order to ensure they receive prompt and appropriate medical attention);



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- it is necessary for the establishment, exercise or defence of legal claims;
- it is necessary for reasons of substantial public interest, including safeguarding purposes;
- it is necessary for medical purposes, including medical diagnosis and the provision of health care or treatment for pupils, managing related health care systems, and/or for assessing the working capacity of staff;
- it is necessary for archiving, research or statistical purposes;
- we have an individual's specific or, where necessary, explicit consent to do so.

## HOW LONG WE KEEP PERSONAL DATA

We retain personal data only for legitimate purposes, relying on one or more of the lawful bases as set out above, and only for so long as necessary for those purposes, or as required by law. We comply with the Government of Jersey Records Schedules for Schools (available on [gov.je](http://gov.je)) which set out the time period for which different categories of data are kept.

## YOUR RIGHTS

You have various rights under data protection law to:

- obtain access to, and copies of, the personal data that we hold about you;
- require us to correct the personal data we hold about you if it is incorrect;
- require us to erase your personal data in certain circumstances;
- require us to restrict our data processing activities in certain circumstances;
- receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of your transmitting that personal data to another data controller;
- object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights (including a right to object to receiving communications);
- where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal.

Please note that these rights are not absolute, and we may be entitled or required to refuse requests where exceptions or exemptions apply.

If you would like to exercise any of your rights under data protection law for which we are the data controller, please contact the school's Data Protection Officer (J. Buesnel).

## PUPIL DATA AND PARENTAL CONSENT



The rights under data protection law belong to the individual to whom the data relates. However, where consent is required as the lawful basis for processing personal data relating to pupils (because no other lawful basis applies) we will often rely on parental consent unless, given the nature of the processing in question, and the pupil's age and understanding, it is more appropriate to rely on the pupil's consent.

Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law or under their contract, and taking in to account all the relevant circumstances.

In general, we will assume that pupils' consent is not required (and that other lawful bases are more appropriate, as described above) for ordinary disclosure of their personal data to their parents, e.g. for the purposes of keeping parents informed about the pupil's activities, progress and behaviour, and in the interests of the pupil's welfare, unless, in the school's opinion, there is a good reason to do otherwise.

However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, we may be under an obligation to maintain confidentiality unless, in our opinion, there is a good reason to do otherwise; for example, where the school believes disclosure will be in the best interests of the pupil or other pupils, or is required by law.

Pupils can make subject access requests (or other requests to exercise individual rights under data protection law) for their own personal data, provided that they have sufficient maturity to understand the request they are making. A person with parental responsibility will generally be entitled to make a subject access request (or other requests to exercise individual rights under data protection law) on behalf of pupils, but the information in question is always considered to be the child's at law. A pupil of any age may ask a parent or other representative to make a subject access request (or other requests to exercise individual rights under data protection law) on their behalf. Moreover, if a pupil is of sufficient maturity, their consent or authority may need to be sought by the parent making such a request.

## **CHANGE OF DETAILS**

We try to ensure that all personal data held in relation to an individual is as up-to-date and accurate as possible. Please notify the school of any changes to important information held about you, such as contact details.

## **THIS POLICY**



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Our privacy notice should be read in conjunction with our other policies and terms and conditions which refer to personal data, these can be viewed on our [website](#).

We will review this Privacy Notice annually. You will be notified of any substantial changes that affect how we process your personal data (via our website and to you directly, as far as practicable).

If you believe that we have not complied with this policy or have acted otherwise than in accordance with data protection law, you should notify the school. You can also make a referral to or lodge a complaint with the Jersey Office of the Information Commissioner (JOIC), although the JOIC recommends that steps are taken to resolve the matter with us before involving them. You can also find out more about your rights under data protection law from the JOIC website available at: <https://jerseyoic.org/>.