

PRIVACY NOTICE Pupils and Students of Academies within *The Collegiate Trust*

The *General Data Protection Regulation* (GDPR) will take effect on 25th May 2018. All academies within our Trust comply with GDPR, and this *Privacy Notice* outlines issues with regard to pupils and students (hereafter referred to as “students”) within the Trust.

The **Data Protection Officer** (DPO) for *The Collegiate Trust* is:

Data Protection Officer: Craig Stilwell

The DPO can be contacted at:

DPO@tct-academies.org

1. Information on the Collection, Use and Storage of Data

a. Why do we collect and how do we use student data?

We collect student data in each of our academies in order to meet our legal obligations under the Education Act 1996, to ensure we are raising standards and taking appropriate care of each student. We then use student data:

- i. to support student learning
- ii. to monitor and report on student progress
- iii. to provide appropriate pastoral care
- iv. to assess the quality of our services
- v. to comply with the law regarding data sharing

b. Collecting Student information

Whilst the majority of student information we collect on students is mandatory, some of it is provided on a voluntary basis. We shall therefore make it clear whether information is required or if there is a choice in providing this.

c. Which student data do we collect and hold?

- Name, address, , carers’ details, unique pupil number (UPN), unique learner number (ULN) for pupils enrolling for post-14 qualifications
- Relevant medical information
- Special educational needs
- Exclusions and behavioural information
- Assessment information
- Post 16 learning information
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Photographs
- Biometric (at Riddlesdown Collegiate, The Quest Academy, for the purpose of purchasing food from the Diner)

To find out more about the data collection requirements placed on us by the Department for Education (DfE) (for example via the school census) go to:

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

d. Which student data do we share?

We do not share information about our students with anyone without consent unless the law and our policies allow us to do so.

- i. We share students' data with the Department for Education (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 Students with the (DfE) under regulation 5 of *The Education (Information about Individual Students) (England) Regulations 2013*.
- ii. We also share students' data with the Local Authority (LA) in which each academy is situated. We are required to do this to allow the LA to carry out its statutory function of providing education for all relevant young people in its area, and to meet its statutory safeguarding responsibilities. The LA shares some of this information with the DfE to enable them to assess and improve performance, and to gain appropriate funding.
- iii. When students reach the age of 13, we also pass student information to the LA in which the academy is based, and / or provider of youth support services, as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the *Education Act 1996*. This enables them to provide youth support services and careers guidance, including information on post 16 education and training providers. A parent or guardian can request that **only** their child's name, address and date of birth is passed to the LA or provider of youth support services by informing us. This right is transferred to the student once s/he reaches the age 16.
- iv. The *National Pupil Database (NPD)* is owned and managed by the DfE and contains information about students in schools and academies 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 academies, local authorities and examination boards.

We are required by law, to provide information about our students 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 Students) (England) Regulations 2013*.

To find out more about the NPD, go to:

<https://www.gov.uk/government/publications/national-student-database-user-guide-and-supporting-information>

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

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 student 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, go to:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the DfE has provided student information, (and for which project), go to:

<https://www.gov.uk/government/publications/national-Student-database-requests-received>

To contact the DfE, go to:

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

- v. We share information with academies, schools or other settings that a student attends after leaving this an academy in the Trust
- vi. We share relevant information with Primary Care Trusts, and the NHS, including the School Nurse. PCT's use information about pupils for research and statistical purposes, to develop, monitor and evaluate the performance of local health services. These statistics will not identify individual pupils. It is necessary for certain health information about children (for example, such as their height and weight) to be retained for a certain period of time (designated by the Department of Health) and requires these PCTs to maintain children's names and addresses for this purpose. PCTs may also provide individual schools and Local Authorities (LAs) with aggregated health information which will not identify individual children.
- vii. We share information with the Police, the Fire and Rescue Service, the Ambulance Service and other emergency or enforcement agencies
- viii. In order to comply with our duty of care to pupils, our statutory safeguarding duties and our obligations in respect of the prevention and detection of crime, we may also share personal data with other statutory and partnership agencies.

2. Further Information

a. Your Rights:

- To be informed of data processing (which is covered by this *Privacy Notice*)
- To access information via a Subject Access Request (SAR)
- To have inaccuracies corrected
- To have information erased
- To restrict processing
- To withdraw consent (see below)
- To complain to the *Information Commissioner's Office* (see below).

b. Withdrawal of Consent

The lawful basis upon which an academy processes personal data is that it is necessary in order to comply with the Trust's legal obligations and to enable it to perform tasks carried out in the public interest. Where the academy processes personal data solely on the basis that you have consented to the processing, you will have the right to withdraw that consent. To withdraw consent, please contact the DPO.

c. Complaints

If you are unhappy with any aspect of the way in which we handle data, please contact the DPO.

If you are not happy with the way in which the DPO has handled your approach, you may contact the Information Commissioner at:

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

Please note that you cannot contact the Information Commissioner's Office with a complaint until you have exhausted the process with the DPO.