



L.E.A.D. Academy Trust

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## **Privacy notice for students who are 13 years old and over.**

You have a legal right to be informed about how our academy uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This privacy notice explains how we collect, store and use personal data about you.

We, L.E.A.D. Academy Trust, are the 'data controller' for the purposes of data protection law.

### **The personal data we hold**

Personal data that we may collect, use, store and share (when appropriate) about students includes, but is not restricted to:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- Results of internal assessments and externally set tests
- Student and curricular records
- characteristics (such as ethnicity, language, and free school meal eligibility)
- Exclusion information
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in the academy
- behavioural information (such as exclusions and any relevant alternative provision put in place)

We may also hold data about students that we have received from other organisations, including other schools, local authorities and the Department for Education.

### **Why we use this data**

We use this data to help run the academy, including to:

- Get in touch with you and your parents when we need to
- Check how you're doing in exams and work out whether you or your teachers need any extra help
- Track how well the academy as a whole is performing
- Support student learning
- Monitor and report on student progress



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- Provide appropriate pastoral care
- Protect student welfare
- Assess the quality of our services
- Carry out research
- Comply with the law regarding data sharing
  - to keep children safe (food allergies, or emergency contact details)
  - to meet the statutory duties placed upon us for the Department for Education (DfE) data collections

### **Our legal basis for using this data**

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing student information are:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process students' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

In addition, concerning any special category data, we rely on the following bases for processing student information:

- We have your explicit consent
- When required for reasons of substantial public interest
- When required to ensure health and safety on the academy site

Where we have obtained consent to use students' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using students' personal data overlap, and there may be several grounds which justify our use of this data.

### **Collecting this information**

We collect student information via a range of sources – including, but not limited to Common Transfer Files from a previous school, registration forms, data collection forms completed by parents / carers and other sources.

While in most cases you, or your parents/carers, must provide the personal information we need to collect, there are some occasions when you can choose whether or not to provide the data.

We will always tell you if it's optional. If you must provide the data, we will explain what might happen if you don't.

### **How we store this data**

We will keep personal information about you while you are a student at our school. We may also keep it after you have left the school, where we are required to by law.

We have a records retention policy which sets out how long we must keep information about students.

To view our policy please request a copy of policy GDPR Doc 2.4 from the academy office.



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## Data sharing

We do not share personal information about you with anyone outside the school without permission from you or your parents/carers, unless the law and our policies allow us to do so.

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

- Our local authority – to meet our legal duties to share certain information with it, such as concerns about students' safety and exclusions
- The Department for Education (a government department)
- Your family and representatives
- Educators and examining bodies
- Our regulator Ofsted.
- Suppliers and service providers – so that they can provide the services we have contracted them for
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

## Youth support services

Once you reach the age of 13, we are legally required to pass on certain information about you to the local authority and/or youth service provider as it has legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

Your parents/carers, or you once you're 16, can contact our data protection officer to ask us to only pass your name, address and date of birth to the local authority and/or youth service provider.

## Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our students with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013. All data is transferred securely and held by DfE under a



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combination of software and hardware controls, which meet the current government security policy framework. For more information, please see 'How Government uses your data' section.

### Your rights

#### How to access personal information we hold about you

You can find out if we hold any personal information about you, and how we use it, by making a '**subject access request**', as long as we judge that you can properly understand your rights and what they mean.

If we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you or your parents
- Tell you who it has been, or will be, shared with
- Let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person)
- Give you a copy of the information

You may also ask us to send your personal information to another organisation electronically in certain circumstances.

If you want to make a request please contact our data protection officer.

#### Your other rights over your data

You have other rights over how your personal data is used and kept safe, including the right to:

- Say that you don't want it to be used if this would cause, or is causing, harm or distress
- Stop it being used to send you marketing materials
- Say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it
- Claim compensation if the data protection rules are broken and this harms you in some way

### Complaints

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by contacting our data protection officer.

You can also complain to the Information Commissioner's Office in one of the following ways:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### Contact us



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If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact the school office.

### How Government uses your data

The student data that we lawfully share with the the Department for Education (DfE) through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Student Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

### Data collection requirements

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>

### The National Student Database (NPD)

Much of the data about students in England goes on to be held in the National Student Database (NPD).

The NPD is owned and managed by the Department for Education (DfE) and contains information about students in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department for Education (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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-student-database-user-guide-and-supporting-information>

### Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share students' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department for Education's (DfE) NPD data sharing process, please visit:

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

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided student information, (and for which project) or to access a monthly breakdown of data share volumes with



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Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfе-external-data-shares>

### **How to find out what personal information the Department for Education (DfE) holds about you**

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>