



# PRIVACY NOTICES FOR STUDENTS AT TARLETON ACADEMY

Endeavour Learning Trust

## 1. INTRODUCTION

A new law is being made that keeps your information safe – things like your address, date of birth and phone number. The school and other people collect and use information for all kinds of reasons, and the new law tells them exactly what they are allowed to do with yours.

For the purposes of this document ‘we’ means Tarleton Academy and Endeavour Learning Trust (ELT).

We collect some information about our students and it’s our job to tell you how we will collect the information, how we will record it and how we will use it.

In this notice, you will see different names or terms used that you may not be familiar with, such as:

**Data Controller:** This person (or group of people, like a school) is in charge of the information we collect.

**Data Processor:** This person processes information for the data controller.

**Data Protection Officer (DPO):** This person makes sure we do everything the law says. The school’s DPO is Mrs P Langton.

**Personal Data:** This means any information that can be used to identify someone, such as your address and date of birth.

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

- Personal information (such as name, unique pupil number and address, parental responsibility)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Fingertip scan for an automated biometric recognition system
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Medical conditions (we keep information about any times you’ve been ill and any special conditions you have that we need to know about to keep you safe).
- Special Educational Needs and Disability (we collect information that helps us teach you better, such as any special educational needs you may have).
- Behaviour and exclusions
- Photographs (using photographs of you counts as processing your personal data. Before we take or use any photographs we will ask you and a parent to give permission for us to take and use pictures of you. We might use your pictures on display boards, on social media or on the school’s website, for example.

## **2. WHY WE COLLECT AND USE THIS INFORMATION**

We use student data:

- to support student teaching and learning
- to monitor and report on your progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard students
- help and improve your health and wellbeing,
- assess how well your school is doing
- to support the Immunisation Programme
- in the Management Information System
- for marketing, website and social media purposes
- for photographic displays
- to manage student's medicines on school premises
- for the cashless catering system and online payments
- to manage the CCTV process

## **3. THE LAWFUL BASIS ON WHICH WE USE THIS INFORMATION**

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:
  - (c) Processing is necessary for compliance with a legal obligation to which the controller is subject;

Article 9

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.
2. Paragraph 1 shall not apply if one of the following applies:
  - (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on 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

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specific measures to safeguard the fundamental rights and the interests of the data subject.

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy (shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

#### **4. COLLECTING STUDENT INFORMATION**

Whilst the majority of student information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain student information to us or if you have a choice in this.

We regularly take photographs/videos/webcam images of students whilst at the Academy or away from the school site. To comply with the General Data Protection Regulation, the Parental Photographic & Video Consent Form is completed by both parents and students. This consent is valid from the day you start at Tarleton Academy up to 5 years after you leave the Academy. This additional time is to make sure that images of past students may continue to appear in the prospectus, in marketing products and in photographic displays in school for a period of time after you have left school.

#### **5. STORING STUDENT DATA**

Data will be retained in accordance with the ELT GDPR Compliant Records Management Policy.

## 6. WHO WE SHARE STUDENT INFORMATION WITH

We routinely share student information with:

- schools that the students attend after leaving us
- our local authority
- the Department for Education (DfE)
- NHS /school nurse
- IntraHealth Service Provider for the purposes of the student Immunisation Programme
- VeriCool as part of the automated recognition system for the purposes of implementing the cashless catering system.
- Insurance Companies for the purposes of Chromebook accidental damage insurance claims.
- Professional photography companies for the purposes of official school photographs
- Firefly
- Class Charts
- Travel companies for the purposes of booking, organising and managing educational visits and trips
- Online applications for teaching and educational purposes
- Tarleton Academy has a CCTV system to address student safety, staff welfare, site security and to make evidence available to authorised investigatory bodies. The Academy's CCTV Policy defines the roles and responsibilities, provides staff with clear guidance about their role whilst using the system and describes how data is stored & shared.

## 7. WHY WE SHARE STUDENT INFORMATION

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

We share student's 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.

## 8. DATA COLLECTION REQUIREMENTS

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

## 9. YOUTH SUPPORT SERVICES

### Students aged 13+

Once our students reach the age of 13, we also pass student information to our local authority 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 services as follows:

- youth support services
- careers advisers

A parent or guardian can request that **only** their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once he/she reaches the age 16.

For more information about services for young people, please visit our local authority website.

## 10. THE NATIONAL PUPIL DATABASE (NPD)

The NPD is owned and managed by the Department for Education 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. 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 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 Pupils) (England) Regulations 2013.

To find out more about the NPD, go to

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

The department 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 Department 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 department'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 department has provided student information, (and for which project), please visit the following website:

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

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

## **11. REQUESTING ACCESS TO YOUR PERSONAL DATA**

Under data protection legislation, parents and students have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the DPO.

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
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, please raise your concern with Tarleton Academy. If your concerns are not dealt with to your satisfaction you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## 12. FOUR IMPORTANT THINGS TO UNDERSTAND AND WHO TO CONTACT

Now you've read this, we hope you understand that:

- The law allows us to get and use your information to help us do our job.
- We may share your information with others, but only when we really need to.
- We will ask for your permission to share your information whenever you have a choice.
- You can tell us not to share your information, even when you have said yes before.

If you would like to discuss anything in this Privacy Notice, please contact Mrs P Langton, the DPO.

## 13. PRIVACY NOTICE REVIEW

This Privacy Notice policy is reviewed annually by the Executive Headteacher and Local Governing Board.

The next scheduled review date for this policy is May 2019.

|                |                                |      |                           |
|----------------|--------------------------------|------|---------------------------|
| Signed by:     |                                |      |                           |
| Mrs L Gwinnett | Executive Headteacher          | Date | 23 <sup>rd</sup> May 2018 |
| Mrs H Dicker   | Chair of Local Governing Board |      |                           |