



Privacy Notice for Students/Pupils September 2021

Office use

Published: September 2020 September 2021	Next review: September 2022	Statutory/non: Statutory within GDPR Compliance	Lead: Alison Elway Data Protection Officer
Associated documents:			
General Data Protection Regulation (GDPR) guidance and associated documentation https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/children-and-the-uk-gdpr/			
Links to:			
https://www.diverseacademies.org.uk/about-us/policies/Privacy Notices Photography and Videography Policy CCTV policy Retention Policy (available upon request)			

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1 Introduction

This notice is to help you understand how and why we collect your personal information and what we do with that information. It also explains the decisions that you can make about your own information.

We are giving you this notice because you are mature enough to make decisions about your personal information. We will process your personal data in accordance with the UK Data Protection Act 2018 (General Data Protection Regulations 2018 or GDPR for short)

Throughout this Notice, “we”, “our”, “us” and “trust” refers to academies in the Diverse Academies Trust and “you” and “your” refers to those expressing an interest in becoming a student at any academy in the trust (both before and at formal application stage), together with those who later become a registered student at any academy in the trust.

If you have any questions about this notice, please talk to your form tutor in the first instance. If there is anything you are still unclear about, please contact the GDPR lead person in your academy (your tutor or receptionist will be able to give you this information) or our Data Protection Officer, Mrs Alison Elway who will be happy to answer any queries you may have concerning this Notice or the way in which we process your personal data. Her contact details are at the end of this Notice.

2 What is ‘personal information’?

Personal information is information that the academy holds about you and which identifies you. We process your personal data for the administration of your position as a student with us.

This includes information such as your name, date of birth, address and contact details, if you are a child of someone in the services, your county of birth and languages spoken as well as things like exam results, previous school information, performance and progress data, medical details and attendance and behaviour records.

CCTV, photographs and video recordings of you are also personal information.

By law, we might also have to keep some or all of this information after you have left the academy, and this is recorded in our retention policy. You can ask for a copy of this policy from your academy.

3 Special category data

The academy must also comply with an additional condition where it processes special categories of personal information, and we will take extra care to protect this information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

4 How and why does the academy collect and use personal information?

We set out below some examples of the different ways in which we use personal information and where this personal information comes from. The academy's primary reason for using your personal information is to provide you with an education.

Admissions forms when you start at the academy give us lots of personal information. We get information from you, the Local Authority, your parents/carers, your teachers and other pupils. Your old school/academy also gives us information about you so that we can teach and care for you.

Sometimes we get information from your doctors and other professionals such as social services, NHS, family courts and other public bodies where we need this to look after you.

We collect this information to help the academy run properly, safely and to let others know what we do. Here are some examples:

- We need to tell the appropriate teachers if you are allergic to something or might need extra help with some tasks.
- We may use CCTV to make sure that you, our teachers and staff and the academy site is safe. CCTV is not used in private areas such as changing rooms. You can find out more in our CCTV policy at

<https://www.diverseacademies.org.uk/wp-content/uploads/sites/25/2018/08/CCTV.pdf>

When we obtain personal data about you from third party sources, we will ensure that the third party has lawful authority to provide us with your personal information.

5 Data sharing; who might we share your information with

On occasion we might need to share your information. If we do, there are a number of lawful basis that we can legally do this. Any data transferred to other people (third parties) will be sent by secure email to ensure that it is kept safe.

- We may need to report some of your information to the government. For example, we may need to tell the local authority that you attend the academy or let them know if we have any concerns about your welfare.
- When you reach the age of 13+ we also pass on your information to the local authority and/or provider of youth support services and career advisers and when you reach 16+ the local authority may contact you regarding post-16 education and training providers.
- If you are from another country, we have to make sure that you have the right to study in the UK. We might have to provide information to UK Visas and Immigration who are part of the government.
- Depending on where you will go when you leave us, we may need to provide your information to other academies, colleges, educational providers, universities and UCAS or potential employers including any work experience places. For example, we may share information about your exam results and provide references. We may need to pass on information which they need to look after you. We might also track your progress at these establishments.
- When you take public examinations (e.g. GCSEs) we will need to share information about you with examination boards. This includes if you require extra time in your exams.
- We are required to share information about you with the Department for Education in relation to completing a school census and the information they can request is detailed within regulation 5 and Schedule 1 of this document <http://www.legislation.gov.uk/ukxi/2013/2094/made>
- Occasionally we may use consultants, experts and other advisors to assist the academy in fulfilling its obligations and to help run the academy properly. We might need to share your information with them if this is relevant to their work.
- Your data may be shared with trustees/governors so they can monitor the academy's progress and check what is happening at the academy and ensure that you are getting the very best education. This may include sharing data with external trustees/governors if there is a complaint or an exclusion and they are part of a governor panel.
- Your data may be used so that we can ensure that everyone at the academy is safe and secure and is able to have the correct pastoral or safeguarding care.
- We may need to share your information with people from other organisations who may provide help and support to you with your learning.
- We may have to use it to help you if you need medical treatment or to deal with emergencies involving you.
- If you have misbehaved in a serious way, and the police have become involved, we may need to share information with the police or our legal advisers. We may use information about the action taken by the police in our enquiries. We may also need to give the police

your information in other circumstances, for example, if one of your classmates is injured at the academy.

- We may need information about any court orders or criminal matters which relate to you. This is so that we can safeguard your welfare and wellbeing and the other pupils at the academy.
- We may share some information with our insurance company to make sure that we have the insurance cover that we need.
- We may share information with school meal providers and healthcare professionals who need to know about any allergies and dietary requirements you have.
- School transport companies may need some information to bring you to school or for school trips.
- We may use your information to celebrate your achievements either in or outside of school
- As part of our day-to-day operation, we will routinely share the following data with your parents/carer:
 - Achievement
 - Attendance
 - Behaviour
 - Financial transaction information
 - Predicted grades and progress data including mock exam results.
- We may share information about you with other academies in the Diverse Academies group of schools. We will only share your information with other people and organisations when we have a good reason to do so. In exceptional circumstances we may need to share it more widely than we would normally.
- We will monitor your use of email, the internet and mobile electronic devices e.g. iPads. This is to check that you are not misbehaving when using this technology or putting yourself at risk of harm. A network acceptance notice is on each laptop/electronic device at first use for you to confirm your acknowledgement. If you would like more information about this, you can speak to your Head of House/Tutor.
- We may share your information with companies that provide educational services that help with your learning e.g. homework apps and resources. Whenever we do this, we will always check the company to ensure they adhere to data protection standards. From September 2021, we will also check that they adhere to the newly introduced Children's Code. Information about this can be found at <https://ico.org.uk/for-organisations/age-appropriate-design/additional-resources/introduction-to-the-childrens-code/>

6 Photographic images

As part of our duty to educate you and keep you safe, your academy will use individual photographs of you on their secure management information system (SIMS) and registers for safeguarding purposes which only authorised staff have access to.

Photographs may also be taken of class/year groups and of normal school activities which may be used for internal displays within the school.

We may use photographs or videos of you to positively promote our values, to celebrate the many achievements of our students and academies, and for teaching and learning purposes.

We will check that we have consent from you (or your parent/carer if you are below Year 9) if we are using your photographs externally such as on social media or in brochures. We are not allowed to assume that consent has been given. We must have your, or your parent/carer's confirmation in writing.

You, or you parent/carer if you are below Year 9, may ask us to remove your consent at any time and we will try to remove all images of you however any use of your information before you withdraw your consent might have to remain in use, if for instance it is in printed publications.

We may use images and film in several ways, which could include:

- Personal identity cards such as lanyards
- Student records, curriculum, and course work
- Display boards.

In general, we will not include captions or names which specifically identify you. Where additional personal data is necessary to accompany an image, this will be limited, for example, to a first name only. We will obtain your or your parent/carer's consent for using your photograph on/in:

- Websites and social media accounts
- Promotional literature and communications (print and digital formats)
- Press and media.

If you have any concerns about any of the above, please speak to your Head of House/Tutor.

7 Biometric data

Biometric data is information that can be used to identify a person, for example, information from your fingerprint. In some of our academies we use biometric data to enable you to access

information and books from the Learning Resource Centre and also for being able to buy food in the canteens. You can find more information about this in our GDPR policy on the trust website [here](#)

In order to be able to use biometric information we need written consent of at least one parent/carer, but you may still refuse to have your biometric information taken and your academy must provide reasonable alternative arrangements for students who are not going to use the automated system.

When you leave the academy, or you stop using the biometric system, your biometric data will be securely deleted.

8 Our legal grounds for using your information and the lawful basis for that processing

This section contains information about the legal basis that we are relying on when handling your information. There are 6 lawful bases under GDPR and we use the following when processing your data. We have included examples below to help explain the terms. *The examples are not exhaustive.*

Consent under article 6 (1) A of the Data Protection Act 2018

For example:

- Sometimes we need permission to use your information. This includes taking pictures or videos of you to be used on our website or in the newspaper. Before we do these things we will ask you or if necessary your parent/carer for permission.
- You may withdraw the consent you have given at any time by contacting the academy, or the Data Protection Officer whose contact details are at the end of this notice.

Legal Obligation under article 6(1)(C) of the Data Protection Act 2018

For example:

- The academy/trust might need to use your information to report a concern about your wellbeing to Children's Services. We may also have to disclose your information to third parties such as the courts, the local authority, Department for Education or the police where legally obliged to do so.

Vital interests under article 6(1)(D) of the Data Protection Act 2018

For example:

- We process and share your contact information in an emergency when it is in your best interests for us to do so and when you cannot give your consent (e.g. if you were seriously hurt).
- We process your parent/carer's and other authorised adults contact information in an emergency when it is in your best interests for us to do so (e.g. if you or they were seriously hurt).

Public interest under article 6(1)(E) of the Data Protection Act 2018

For example:

- Providing you and others with an education and to enable us to operate the academy effectively.
- Maintenance of attendance and attainment records, providing food and drink, collecting and analysing behavioural and medical data, and communications to your parent/carers about your progress and achievements.
- Safeguarding and looking after your welfare and development, and the welfare and development of others. This includes equal opportunities monitoring and includes the use of your biometric data.
- Ensuring the security of the trusts sites and data which involves different forms of CCTV, photos and video recording.
- Facilitating the efficient operation of the trust.
- Ensuring that we comply with all our legal obligations.

Legitimate Interest under article 6(1)(F) of the Data Protection Act 2018

For example:

- Your personal information may be processed for the legitimate interests of others. For example, we may use information about you when investigating a complaint made by one of your fellow pupils.

9 Sending information to other countries

We may (but do not presently) send your information to other countries where we store information on computer servers based overseas. If we propose to transfer data abroad, we will comply with the rules about international transfers and this notice will be updated to reflect the ways in which personal data is transferred.

10 For how long do we keep your information?

We keep your information for as long as we need to in order to educate and look after you. By law we have to keep some information about you after you have left the academy and any information retained will be kept in line with our retention policy guidelines.

In exceptional circumstances we may keep your information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

11 What decisions can you make about your information?

You are able to make various decisions about your information. Your rights are as follows:

- If information is incorrect you can ask us to correct it.
- You can also ask what information we hold about you and be provided with a copy. We will also give you extra information, such as why we use this information about you, where it came from and what types of people we have shared it with.
- You can ask us to delete the information that we hold about you in certain circumstances, but you cannot ask to have your education records deleted or the right to be forgotten whilst you are a student/pupil at the academy.
- You can ask us to send you, or another organisation, certain types of information about you in a format that can be easily read and
- our use of information about you may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.

Your Head of House/Form Tutor can give you more information about your data protection rights or refer to our policies on www.dalp.org.uk/about-us/policies

12 Further information and guidance

This notice is to explain how we look after your personal information. Your Head of House/Form Tutor can answer any questions which you might have. Please speak to your Head of House/Form Tutor if:

- You object to us using your information and if we are legally able to we will stop using your information if you tell us not to.

- You would like to withdraw consent for something that has previously been given.
- You would like us to update the information we hold about you.
- You would prefer that certain information is kept confidential.

If you have any questions about how we look after your personal information you can ask your Head of House/Form Tutor about how it works in your academy. Alternatively, you can ask your parents/carers to speak to us on your behalf if you prefer.

If you consider that we have not acted properly when using your personal information, you can contact the Trust Data Protection Officer, Alison Elway: gdpr@diverseacademies.org.uk

Diverse Education Centre
Old Hall Drive
Retford
Notts
DN22 7EA
Phone: 01777 861402

13 Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer via

gdpr@diverseacademies.org.uk. If your queries are not appropriately resolved, you may contact the Information Commissioners Officer www.ico.org.uk:

- 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