

Privacy Notice - Pupils/Students

Introduction

You have a legal right to be informed about how Turner Schools 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, Turner Schools, are the 'data controller' for the purposes of data protection law.

The personal data we collect, process, hold and share

We hold some personal information about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too – like other schools, the local council and the government. This information includes:

- Personal information (such as name, date of birth, unique pupil number, address and parental custody orders)
- Assessment information (such as assessment results)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Special categories of data including characteristics information (such as age, ethnic group, language, nationality, country of birth and free school meal eligibility, biometrics)
- Special Educational Needs information (such as care plans)
- Medical information (such as disabilities, allergies or illnesses, emergency contacts)
- Behavioural information (number of exclusions)
- Post 16 Learning Information
- Photographs
- CCTV images

Why we collect and use this data

We use this data to help run our settings, including to:

- Get in touch with you and your parents/carers when we need to
- Support your learning
- Monitor and report on your progress
- Provide pastoral care
- Safeguard all pupils and students
- Track how well our settings are performing
- Maintain our own records
- Comply with the law regarding data sharing

Our lawful basis for using this data

We will only collect and use your information when the law allows us to. Most often, we will use your information where:

- We need to comply with the law – School Census, Early Years Census
- We need to use it to carry out a task in the public interest – Publication of examination results in media/marketing

Sometimes, we may also use your personal information where:

- You, or your parents/carers have given us permission to use it in a certain way – Photographs, Biometric Identification, Off-site education and school/academy/trust representation
- We need to protect your interests (or someone else's interest) - Safeguarding

Where we have got permission to use your data, you or your parents/carers may withdraw this at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent. Some of the reasons

listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

Collecting this information

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.

In order to comply with data protection legislation, 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. In particular, parents, guardians and pupils do have the right to decline to provide information on pupil nationality and country of birth.

How we store this information

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

We hold personal data electronically on our internal computer systems. In addition, Turner Schools maintains hard copies of information which are stored securely for 6 years from the last day of the course, 10 years with the consent of the student for personal and academic references.

After this time the only information we hold is the pupil/student's name, date of birth, email address, dates of attendance, examination results, destination, admission number and unique pupil number. This remaining data will be held for historical purposes and to enable ex-students to allow potential employers to check this information.

Who this information is shared with

We do not share personal information about you with anyone outside Turner Schools 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 Kent County Council (KCC) – to meet our legal duties to share certain information with it, such as concerns about pupil/student safety and exclusions
- The Department for Education (DfE) and central government
- Schools/Further Education/Higher Education settings that pupil's and student's attend after leaving us
- Examining Bodies
- Offsite learning providers
- Careers Services
- NHS and other healthcare professionals
- Family, associates and representatives of the person whose data we are processing
- Third party professional services i.e. Social Services, Social Care Teams
- Law Enforcement and courts
- Nourish (Academy Catering)
- Biometrics Company
- Academy trips organisations
- Insurance Company
- Press and Media (in line with consent provided)
- Business Associates and Professional Advisers

Transfers

It may sometimes be necessary to transfer personal information overseas. When this is needed, information may be transferred to countries or territories around the world. Any transfers made will be in full compliance with all aspects of the GDPR.

Why we share this information

Department for Education (DfE)

We share pupils' and students' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins Academy funding and educational attainment policy and monitoring.

We are required to share information about our pupils and students with the (DfE) under regulation 5 of The Education (Information about Individual Pupils) (England) Regulations 2013.

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>.

Youth support services

Students aged 13+:

Once our students reach the age of 13, we also pass pupil 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.

We must provide both your and your parent's/s' name(s) and address, and any further information relevant to the support services' role; this will include telephone contact details.

This enables them to provide services as follows:

- youth support services
- careers advisers

A Parent/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.

Students aged 16+:

We will also share certain information about students aged 16+ with our local authority (KCC) 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:

- post-16 education and training providers
- youth support services
- careers advisers

KCC has a legal responsibility to track all young people up to the age of 19 (and young adults with learning difficulties or disabilities up to the age of 25). The purpose of collecting this information is to assist the planning of education and training for young people and the support services they require. KCC will inform us of your current activity once you have left the Academy. This is in relation to education, training, employment with training you may be undertaking and whether you are NEET (not in Education, Employment or Training). Some of this information is then shared with the DfE who use the information to plan at a national level.

For more information about services for young people, please visit our local authority website <http://www.kent.gov.uk/education-and-children>.

Learning Records Service

Students aged 14+:

For students enrolling for post 14 qualifications, the Learning Records Service will give us a student's unique learner number (ULN) and may also give us details about the student's learning or qualifications.

The National Pupil Database (NPD)

The NPD is owned and managed by the DfE and contains information about pupils and 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 Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, academies, local authorities and awarding bodies.

We are required by law, to provide information about our pupils and 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-guideand-supporting-information>.

The department may share information about our pupils and students from the NPD with third parties who promote the education or wellbeing 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 pupil and 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-howwe-collect-and-share-research-data>.

For information about which organisations the department has provided pupil and 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>

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.

You are entitled to submit subject access requests all year round, but please bear in mind that it may be necessary for us to extend the response period when requests are submitted over the summer holidays. This is in accordance with article 12(3) of the GDPR, and will be the case where the request is complex – for example, where we need multiple staff to collect the data.

If you want to make a request please contact our Data Protection Officer on DPO@turnerschools.com

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

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

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

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our data protection officer:

- dpo@turnerschools.com

A copy of this privacy notice is available on our website.

This notice is based on the Department for Education's model privacy notice for pupils and students, amended to reflect the way we use data in Turner Schools and is subject to review.

Last updated September 2019