



The Charter Schools Educational Trust

Privacy Notice for Sixth Formers

Author (s)	F Hallinan
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Privacy Notice for Sixth Form Pupils

Under data protection law and General Data Protection Regulation (GDPR), individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'Privacy Notices' to individuals where we are processing their personal data. This Privacy Notice explains how we collect, store and use personal data about you.

Current guidelines state that when young people have reached a certain age or point in their education, they can be considered mature enough to own the rights to their data under data protection law. Under GDPR guidelines, you are entitled to the information on how we store and process your data.

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

We, The Charter Schools Educational Trust, are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer (DPO) is Ms S Varcoe svarcoe@tcset.org.uk

The personal data we hold

Personal data is any information that relates to you that can be used directly or indirectly to identify you.

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

- Pupil identification details, home address and parent telephone & email contact details, contact preferences, identification documents
- Results of internal assessments and externally set tests
- Pupil academic and curricular records
- Characteristics, such as ethnic background, religion and nationality
- Eligibility for free school meals, pupil premium, or special educational needs descriptions
- Information on pupil behaviour including exclusions
- Details of any medical conditions, including physical and mental health and dietary needs
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

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

Why we collect and process pupils' personal data

We use this data to:

- Identify pupils
- Contact home regarding pupil information
- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

Our legal basis for using this data

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation.

Statutory reporting requirements to the Department for Education (DFE) are included within this section. As is disclosing information to third parties such as the courts or the police where we are legally obliged to do so.

- We need it to perform an official task in the public interest or for the performance of a contract.

For a legitimate interest of the school or one of the organisations it shares data with (e.g. legal adviser) except where those rights are overridden by the interests or fundamental rights and freedoms of the data subject which require protection, particularly in the case of a child.

Less commonly, we may also process pupils' 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 vital interests). This may cover an emergency situation.

Where we have obtained consent to use pupils' 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. Any use of your information before you withdraw your consent remains valid.

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

Special categories of personal data

We must also comply with an additional condition where we process special categories of personal data. 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.

Some of the reasons we process such data on pupils include:

For compiling census data as required by law.

For compiling statistical or historical/scientific data.

Legal claims. The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisers and insurers.

Medical purposes. This includes medical treatment and the management of healthcare service.

How do we obtain personal data?

We obtain personal data in a variety of ways. Some of the information comes from the admissions forms and acceptance forms which you supply to us. This can contain information about you as well as your parents/carers and the same principles contained in this notice apply regarding your personal data. We also receive information about pupils from other schools and agencies, such as healthcare professionals. Data is also obtained from your teachers and educational professionals.

Collecting this information

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

How do we protect pupils' personal data?

We take the security of pupils' personal data very seriously. We have internal policies and controls in place to try to ensure that data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the performance of their duties.

Where we engage third parties to process personal data on our behalf, they do so based on written instructions, have signed data protection compliancy contracts, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data. For example, we ensure the school uses encrypted devices, uses passwords, virus protection and has appropriate firewalls.

How we store this data

We keep personal information about pupils while they are attending our school, and beyond their attendance at our school, in order to comply with statutory retention periods and follow best practice. Our records management policy sets out how long we keep different categories of information about pupils.

Data sharing

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions.
- The Department for Education - We share pupils' data with the DFE on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.
- The pupil's family and representatives
- Educators and examining bodies
- Our regulator e.g. Ofsted

- Suppliers and service providers – to enable them to provide the service we have contracted them for. E.g. providers of our school prospectus (if consent has been given to share your photograph)
- Financial organisations
- Central and local government
- Our auditors
- Research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Media or local news organisations – we may share photos of pupils and/or their results and achievements if you have given consent to this.
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies – e.g. data security contract with a third-party IT services provider or as part of cloud-based storage system, these may process your personal data for the purpose of securely holding and protecting your data.

National Pupil Database

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

Youth support services

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to the local authority or youth support services 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.

Transferring data internationally

We are unlikely to transfer personal data to a country or territory outside the UK, but should this be the case we would do so in accordance with data protection law.

Parents' and pupils' rights regarding personal data

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

Parents/carers and pupils, who are considered competent and understand their rights under data protection law, can make a request to view their child's/their data.

If you make a subject access request, or if you authorise a parent/carer or other adult to make a subject access request on your behalf, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your parent/carer
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

Parents/carers also have a right to access their child's **educational record**.

If you would like to make a request, please contact our Data Protection Officer. Please note there may be an administration fee to cover the cost of staffing for the request.

Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to receive direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer.

Further examples of why we collect, hold and share pupils' personal data

Here are some further examples of why we collect, hold and share pupils' personal data.

- We may need to share information about your health and wellbeing with those who have responsibility for pupil welfare.
- We need to tell all appropriate members of staff if you have specific medical needs.
- We need to tell all appropriate members of staff if you might need extra help with some tasks.
- We may need to provide information containing your personal data to other schools and colleges that you attend. We may need to pass on information which they need in order to look after you. For example, your behaviour or test results.
- We may need to share data with external examination boards.
- We will share your academic and behaviour records with your parent/guardian.
- We will only share your information with other people and organisations when we have a legitimate reason to do so.

- We are required to share information about our pupils with our LA and the DFE under the Education (Information About Individual Pupils) (England) Regulations 2013.
- Sometimes we need to share information with the police or our legal advisers to help with an inquiry. For example, safeguarding issues or injuries.
- We might need to share pupils' information with consultants, experts and other advisers who assist us in the running of the school, if this is relevant to their work.
- On occasions external consultants/contractors may have temporary access to personal data held by the school. For example, IT consultants might be granted temporary access to pupils' personal data in order to fulfil their contract(s). Access will only be granted to consultants who have demonstrated compliance with the school's data protection standards.
- The school uses various IT systems. This may include using cloud-based storage systems to hold pupil data. Before use, the school ensures that adequate security measures are in place.
- We may need to share some information with our insurance provider to ensure we maintain cover or to process any claims.
- We may need information about any court proceedings or judgements concerning you. This is so that we can safeguard your welfare and the welfare of other pupils at the school.
- We may monitor your use of the school's email, internet and other electronic devices provided by the school. We monitor in order to ensure appropriate use of these technologies and to confirm you are not putting yourself at risk of harm.
- We have CCTV in operation to make sure the school sites are safe. CCTV is not used in private areas such as changing rooms.
- We may use photographs or videos of you on our website, social media sites, newsletters and publications as part of our advertising of the school, with your consent.
- We publish our exam results and other news on the website. We also send articles, photographs and videos to local and national news outlets to celebrate the school's successes.
- Sometimes we use photographs and videos to support curriculum activities, for example, to provide feedback on a presentation you have given.

Queries/ Contact us

If you have a question or concern about our data processing, please raise this with us in the first instance, please contact our **Data Protection Officer**, Ms Varcoe at svarcoe@tcset.org.uk

Further guidance and advice on the above rights can be obtained from the ICO's website <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

We take any queries or questions about our collection and use of personal information very seriously.

Alternatively, for more information, you can contact the Information Commissioner's Office:

- 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