

## Privacy Notice – Student Data

### Why we collect and use personal information

We use the student data:

- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- To safeguard students
- To advise of any activities we undertake which may involve sending a letter, email or text.

### The lawful basis upon which we use this information

Thomas Telford UTC holds the legal right to collect and use personal data relating to students and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE. We collect and use student information under Article 6, (and Article 9 where data processed is special category data) from the GDPR-from 25 May 2018. In addition, the Education Act 1996, the Data Protection Act 1988 and follow guidance [published by the Information Commissioner's Office](#) and [model privacy notices published by the Department for Education](#). This notice complies with our funding agreement and articles of association.

The legal basis for the collection of personal data may be related to but not limited to any or all of the following:

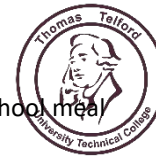
- In relation to a contract for education with you and contained in the Education Act 1996.
- In relation to secondary education under Limitation Act 1980
- In relation to management of the school under the Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002 SI 2002, No 1171.
- In relation to School Admissions Code, Statutory guidance for admission authorities, governing bodies, local authorities, school's adjudicators and admission appeals panels December 2014
- In relation to Regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013
- In relation to the protection of children under the "Keeping Children Safe in Education: Statutory guidance for schools and colleges September 2018"; "Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children July 2018.
- In relation to the safeguarding of children under the Safeguarding Vulnerable Groups Act 2006
- The Crime and Disorder Act under the control of an official authority (West Midlands Police) as outlined in the Information Sharing Agreement (Article 10 GDPR).

### 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.

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

- Personal information (such as name, unique student number and address, relevant medical information)



- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility, SEND)
- Attendance information (such as sessions attended, number of absences and absence reasons, exclusions)
- Attainment information including both internal and external scores and grades.

## Storing student data

We hold student data for periods of between 3 - 6 years following students leaving us (and up to the age of 25 years for SEND students and safeguarding data).

In accordance with the GDPR, the school does not store personal data indefinitely (however, there may be exceptions to this, where we have obligations under our insurance cover scheme to retain data for indefinite or protracted periods); all other data is only stored for as long as is necessary to complete the task for which it was originally collected.

## Who we share student information with

In some cases, we may share your data with an outsourced third-party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school shares data with a third-party processor, consent for this is requested via our 'form booklet' which is completed by the parents of all students who enrol with us.

We routinely share student information with:

- schools that the student's attend after leaving us
- our local authority
- the Department for Education (DfE)
- The Learner Records Service (LRS) who give us a unique learner number (ULN) for each student as well as details of any other qualifications achieved before joining us.
- Connections
- School Nurse Service
- Local Support Teams, CAMHS and other children's services as relevant □ West Midlands Police Student Panel

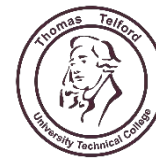
## Why we share student information

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 students' 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 our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Students) (England) Regulations 2013.

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.



## 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>.

## Youth support services

### Students aged 13+

As our students are over 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 / student once he/she reaches the age 16.

### Students aged 16+

We will also share certain information about students aged 16+ with 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:

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

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

## The National Student Database (NPD)

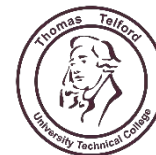
The school is required to share students' data with the DfE on a statutory basis.

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 Students) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-student-databaseuser-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/dataprotection-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-studentdatabase-requests-received>

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

### **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 Jayne Round, Director of Operations.

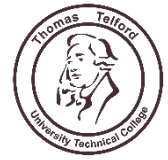
You also have the right to:

- 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, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

### **When will this notice be updated?**

We reserve the right to vary and amend this privacy notice to comply with the changes to legislation. An up to date copy of this notice will be available on the school website.



## **Privacy Notice – Coronavirus - Track and Trace**

Responding to the Coronavirus advice from the Government is an obligation on all schools in England.

The development of the NHS 'Track and Trace' scheme is a key part of the government plan to manage Coronavirus.

As more pupils are returning to our schools, the safety and wellbeing of pupils, staff and their families is a priority.

Planning to manage a safe return is in place, however our responsibility extends beyond the school gates.

We hold a lot of data, and it may be necessary for us to share that data on request from NHS Track and Trace workers.

We will do this and will play our part in making this process as effective as possible.

It is likely that we will be asked to provide contact details if a case of Coronavirus or a suspected case arises in our school.

There is an obligation to support the government planning. We will provide details as requested to do this.

We will be sharing data on the basis that this is a Public Duty (see below) and that in the case of any health data it is necessary for the public interest, as set out.

Please be assured that we will keep a record of information that we share.

This Privacy Notice should be read in alongside the other GDPR and Data Protection on our website.

If you have any questions please contact the school office.

## **NHS Test and Trace and the law**

The law on protecting personally identifiable information, known as the General Data Protection Regulation (GDPR), allows Public Health England to use the personal information collected by NHS Test and Trace.

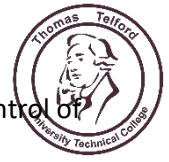
The section of the GDPR that applies is:

Article 6(1)(e) 'processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller'

As information about health is a special category of personal information, a further section of the GDPR applies:

Article 9(2)(i) 'processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of healthcare'

Public Health England also has special permission from the Secretary of State for Health and Social Care to use personally identifiable information without people's consent where this is in the public interest. This is known as 'Section 251' approval and includes the use of the information collected by NHS Test and Trace to help protect the public from coronavirus. The part of the law that applies here



is Section 251 of the National Health Service Act 2006 and the associated Health Service (Control of Patient Information) Regulations 2002.