

Privacy Notice for Students & Parents

The Sutton Academy is committed to protecting the privacy and security of personal information. This Privacy Notice describes how we collect and use personal information about students, in accordance with **Articles 6 and 9 of the General Data Protection Regulation (GDPR), the Data Protection Act 2018 (DPA 2018)** and:

- Section 537A of the Education Act 1996, the Education (Academy Performance Information) (England) Regulations 2007;
- Regulations 5 and 8 of the Academy Information (England) Regulations 2008;
- Regulation 5 of the Education (Information About Students) (England) Regulations 2013;
- Section 83 of the Children Act 1989.

Who Collects this Information?

The Sutton Academy is a “data controller” under the terms of the GDPR. This means that we are responsible for deciding how we collect, hold and use personal information about our students and their families.

The Categories of Student and Parent Information that we Collect, Process, Hold and Share

We may collect, store and use the following categories of personal information about you:

- Personal information (such as name, student number, date of birth, gender and contact information);
- Emergency contact and family lifestyle information (such as names, relationship, phone numbers and email addresses);
- Characteristics (such as ethnicity, language, nationality, country of birth and free academy meal eligibility);
- Attendance details (such as sessions attended, number of absences and reasons for absence);
- Financial details (such as bank details when using our online payments system);
- Performance and assessment information;
- Behavioural information (including exclusions);
- Special educational needs information;
- Relevant medical information;
- Special categories of personal data (including biometric data¹, ethnicity, relevant medical information, special educational needs information);
- Images of students engaging in academy activities
- Images captured by the Academy’s CCTV system for the Prevention, Detection of Crime & Public Safety;
- Information about the use of our IT, communications and other systems, and other monitoring information;
- Where students may go after they leave us.
- For students enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about students learning or qualifications.

¹ Any systems using Biometric Data the Academy will ensure Explicit consent is obtained.

Collecting this Information

Whilst the majority of 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 and the Data Protection Act 2018, we will inform you whether you are required to provide certain student information to us or if you have a choice in this.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your time with us.

How we use your Personal Information

We hold student data and use it for:

- Student selection (and to confirm the identity of prospective students and their parents);
- Providing education services and extra-curricular activities to students, and monitoring students' progress and educational needs;
- Informing decisions such as the funding of the academy;
- Assessing performance and to set targets for the academy;
- Safeguarding students' welfare and providing appropriate pastoral care (and where necessary medical care);
- Supporting teaching and learning;
- Giving and receiving information and references about past, current and prospective students, and to provide references to potential employers of past students;
- Managing internal policy and procedure;
- Enabling students to take part in assessments, to publish the results of examinations and to record student achievements;
- To carry out statistical analysis for diversity purposes;
- Legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care;
- Enabling relevant authorities to monitor the academy's performance and to intervene or assist with incidents as appropriate;
- Monitoring use of the academy's IT and communications systems in accordance with the academy's IT security policy;
- Making use of photographic images of students in academy publications, on the academy website, on social media channels and in the Media;
- Security purposes, including CCTV;
- Any other reasonably necessary purposes, including to obtain appropriate professional advice for the academy.
- Providing support to students after they leave the academy.

The Lawful Bases under which we use this Information

We will only use your information when the law allows us to. Most commonly, we will use your information in the following circumstances:

- Public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law;
- Explicit Consent: the individual has given clear consent to process their personal data for a specific purpose;
- Contract: the processing is necessary for a contract with the individual;
- Legal obligation: the processing is necessary to comply with the law (not including contractual obligations);
- Vital interests: the processing is necessary to protect someone's life;
- The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We need all the categories of information in the list above primarily to allow us to comply with legal obligations and to delivery education services. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

Sharing Data

We may need to share your data with third parties where it is necessary. There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it's the only way we can make sure you stay safe and healthy or we are legally required to do so.

We share student information with:

- The Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Students) (England) Regulations 2013;
- Ofsted;
- Youth support services – under section 507B of the Education Act 1996, to enable them to provide information regarding training and careers as part of the education or training of 13-19 year olds;
- Other Academics that students have attended/will attend;
- Examining Bodies
- NHS;
- Welfare services (such as social services);
- Law enforcement officials such as police, HMRC;
- Local Authority Designated Officer;
- Professional advisors such as lawyers and consultants;
- Support services (including insurance, IT support, information security);
- The Local Authority; and
- Third Party suppliers which support the delivery of education and auxiliary services such as cashless payment systems, educational assistance products. payment (ParentPay), communication (School Gateway) and Management Information System (SIMS)
- The academy's careers education providers (Career Connect, Career North and Lifework Careers)
- External examination boards (Pearson, Edexcel, WJEC, AQA, OCR, NCFE)

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations (contractual), we require them to respect the security of your data and to treat it in accordance with the law.

Where we may transfer your personal information outside the EU, we will advise you and will demand a similar degree of protection in respect of your personal information.

Why We Share This Information

We do not share information about our students with anyone without consent unless otherwise required by law.

For example, we share student's data with the DfE on a statutory basis which underpins academy funding and educational attainment. To find out more about the data collection requirements placed on us by the DfE please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Storing Student Data

The Academy keeps information about students on computer systems (e.g. SIMS) and sometimes on paper.

Except as required by law, the Academy only retains information about students for as long as necessary in accordance with timeframes imposed by law and our Retention policy.

If you require further information about our retention periods, please contact us and request a copy of our Retention policy.

Some data maybe held by third parties so to be able to deliver their services, but those third parties will need to evidence how they will process, protect and retain the data in line with the GDPR, the Data Protection Act 2018 and their contract.

Automated Decision Making

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision making in limited circumstances.

Students will not be subject to automated decision-making, unless we have a lawful basis for doing so and we have notified you.

Security

We have put in place measures to protect the security of your information which include physical and application security (i.e. against it being accidentally lost, used or accessed in an unauthorised way).

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.

We must provide the students name, the parents name(s) and any further information relevant to the support services role.

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

Data is securely transferred to the youth support service via encrypted email of password protected files and is securely stored and held in line with the Academy Retention Policy.

The National Student Database

The NPD is owned and managed by the Department for Education and contains information about students in 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 academies, 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 academy 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-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-student-database-requests-received>

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

Cookies

We may collect some information from our website usage. Please see our separate cookie policy for more information. <https://www.thesuttonacademy.org.uk/privacy-cookies/>

Links to other Websites

The Academy may provide the ability to connect to other websites. These websites may operate independently from us and may have their own privacy notices or policies, which we strongly suggest you review. If any linked website is not owned or controlled by us, we are not responsible for its content, any use of the website or the privacy practices of the operator of the website.

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 education record) contact us at: contact@thesuttonacademy.org.uk

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 purposes 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 wish to exercise any of the above, please email us at: DPO@thesuttonacademy.org.uk

OR write to: Mr P Blakemore, The Sutton Academy, Elton Head Road, St Helens, Merseyside, WA9 5AU.

You should address all correspondence relating to 'access' with the heading **SUBJECT ACCESS REQUEST** followed by your name.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to Withdraw Consent

In circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact us using the contact details above.

You should address all correspondence relating to 'withdrawing consent' with the heading **WITHDRAW CONSENT** followed by your name.

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Contact

If you would like to discuss anything within this Privacy Notice or have a concern about the way we are collecting or using your personal data, we request that you raise your concern with the Data Lead in the first instance by contacting:

Mr P Blakemore, The Sutton Academy, Elton Head Road, St Helens, Merseyside, WA9 5AU.

Or email: contact@thesuttonacademy.org.uk

You should address all correspondence relating to a concern with the heading **CONCERN**, followed by your name.

Data Protection Officer

We have appointed a Data Protection Officer (DPO) to oversee compliance with data protection laws and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by the Data Lead, then you can contact the DPO using the contact details below:

Name: Mr Nick Holden

Address: The Sutton Academy, Elton Head Road, St Helens, Merseyside, WA9 5AU.

Email: DPO@thesuttonacademy.org.uk

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns>

Other useful Contact Details

Public Communications Unit

Department for Education, Great Smith Street, London, SW1P 3BT

Website: www.dfe.gov.uk/government/organisations/department-for-education

Email: info@dfes.gov.uk

Tel: 0370 000 2288

Information Commissioners Office

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Website: www.ico.org.uk

Email: ico.org.uk/contact-us/email

Tel: 0303 123 1113

Changes to this Privacy Notice

We may change this Privacy Policy from time to time to reflect new services, changes in our Personal Data practices or relevant laws. Any changes are effective when we post the revised Privacy Policy on the Services. We may provide you with disclosures and alerts regarding the Privacy Policy or Personal Data collected by posting them on our website