

How we use student information

Privacy Notice for students, parents and carers



This notice explains how we collect, store and use personal data about students at Broadway Academy. Broadway Academy Trust complies with the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. The Academy is a data controller for the purposes of data protection law and as such we are obliged to inform you of the information we hold on you and your child (ren), what we use it for, who we share it with, and for how long we keep it.

The Data Protection lead and first point of contact for student data in the school is Stuart Carroll, Deputy Head Teacher s.carroll@broadway-academy.co.uk

The Data Protection Officer role is provided for the school by SIPS Education and queries should be referred to gdpr@sipseducation.co.uk

We ensure that your personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

The categories of information that we collect, hold and share about you include:

STUDENTS

Personal information, such as

- Your name, unique pupil number, date of birth
- Contact details (such as address)
- Attendance information (such as sessions attended, number of absences, absence reasons)
- Assessment information (such as national curriculum assessment results, internal assessment results, school reports)
- Examinations information (such as exams entered and results)
- Special education needs information (such as SEN test results, SEND provision, referrals)
- Behaviour information (such as behaviour monitoring, action plans, reasons for isolation referrals, feedback)
- Exclusions and alternative provision (such as reasons, placement details, feedback)
- Post 16 learning information (such as school, college and training destinations)

We may also collect, store, use and share (when appropriate) information that falls into 'special categories' of sensitive personal data. This includes, but is not restricted to, information about:

- Characteristics (such as gender, ethnicity, religion, language, nationality, country of birth and free school meal eligibility)
- Medical information (such as height, weight, vaccinations, medical conditions, support needs)
- Special educational needs information (such as EHCPs, statements, applications for support, care or support plans)
- Safeguarding information (such as safeguarding concerns logs, referral information, actions)

- Photographs (such as pictures for identity purposes, on display boards or in marketing materials such as our prospectus, the academy website, twitter account and through digital signage around the school)
- CCTV recordings (recordings on the school site to protect student safety and/or the school's property) and Virtual Learning recordings (recordings of on-line live lessons retained for safeguarding purposes)
- Biometrics (such as recognition systems that use information related to your fingerprint so you can use the canteen and library [please note that the system we use does not save actual fingerprints])

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

PARENTS AND CARERS

Personal information, such as

- Contact details (such as your name address, email address and telephone number)
- Bank details
- Details of your family circumstances
- Details of any safeguarding information including court orders or professional involvement
- Records of your correspondence and contact with us
- Details of any complaints you have made

We may also collect, store, use and share (when appropriate) information that falls into 'special categories' of sensitive personal data. This includes, but is not restricted to, information about:

- Any health conditions you have that we need to be aware of
- Photographs and CCTV images captured in school

We may also hold data about you that we have received from other organisations, including other schools and social services.

Why we collect and use this information

We use student and parent data to:

- get in touch with you and your parents/carers when we need to
- support learning
- monitor and report on progress
- support student welfare
- provide appropriate pastoral care, medical care and look after your wellbeing
- protect and safeguard vulnerable individuals
- assess how well the Academy is performing
- respond to and process any complaints
- promote the achievements of the school to parents/carers and the wider community
- prevent and assist in the detection of crime
- comply with the law regarding data sharing

The lawful basis on which we use this information

We collect and use student information under section 537A of the Education Act 1996, and section 83 of the Children Act 1989. Our data collection is carried out under the provisions of Article 6 of the General Data Protection Regulations, specifically:

- Data subject gives consent for one or more specific purposes
- Processing is necessary to comply with the legal obligations of the controller
- Processing is necessary for tasks carried out in the public interest or in the exercise of official authority vested in the controller (the provision of education)
- Processing is necessary to protect the vital interests of the data subject (student, parent or carer)

For 'special category' data (more sensitive personal information), we collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your information in a certain way
- We need to use your information under employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life) in situations where you're physically or legally incapable of giving consent
- The information has already been made obviously public by you
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation
- We need to use it for health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

Collecting student information

We collect student information via a range of sources including, without limitation, the following:

- student admission forms, registration forms at the start of the school year, parental contact forms
- Common Transfer File (CTF) or secure file transfer from previous schools
- parents may provide us with personal data about themselves or their family in correspondence, documents, during discussions with staff, and through our website
- third parties such as other schools, local authorities, government departments or agencies and public authorities

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 information to us or if you have a choice in this.

Storing student data

We keep personal information about students while you attend the Academy and potentially for 10 years after your date of leaving (in line with the data retention guidelines in the Information management Toolkit for School [IRMS] <https://irms.org.uk/page/SchoolsToolkit>)

We have data protection policies and procedures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We'll dispose of your personal data securely when we no longer need it. Further information can be found on the [Academy website](#).

Who we share student data with

We don't share information about you with any third party without your consent unless the law and our policies allow us to do so. We routinely share student data with:

- schools that our students attend after leaving us
- our local authority, Birmingham City Council
- the Department for Education (DfE)
- our regulator, Ofsted
- the School Health Support Service
- alternative provision
- NHS and social services
- suppliers and service providers – to enable them to provide a service as part of a contract e.g. sports coaches; school meal providers
- financial organisations
- professional advisers and consultants
- charities and voluntary organisations

If requested, we may also share student information with the Police forces, courts and tribunals, security organisations and other external agencies.

We share 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 students with the (DfE) under regulation 5 of The Education (Information about Individual Pupils) (England) Regulations 2013.

If we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

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+

Once our students reach the age of 13, we 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
- post-16 education and training providers

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.

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

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils 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 Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The Department for Education 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 y our data.

Organisation which access the data must agree to strict terms and conditions about how they will use your data.

You can find more information about this on the Department for Education's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) if you have any questions about the database.

Your rights and requesting access to your personal data

Under data protection legislation, parents and students have a right to make a 'subject access request' to gain access to personal information that we hold. Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent. Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

To make a request for your personal information contact Stuart Carroll, Deputy Head Teacher s.carroll@broadway-academy.co.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 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 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.

Contact

If you would like to discuss anything in this privacy notice, please contact:

Stuart Carroll, Deputy Head Teacher

email: s.carroll@broadway-academy.co.uk

Telephone: 0121 566 4334

Our Data Protection Officer (DPO) is provided by SIPS Education Ltd. The DPO can be contacted via GDPR@sips.co.uk

You can also report a concern online to the Information Commissioners Office at <https://ico.org.uk/concerns>

Telephone: 0303 123 1113

Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF 12.

July 2020