

Privacy Notice

September 2021

Date approved:	September 2021
Approved by:	Head of Centre
Frequency of review:	Annually
Last review:	N/A
Next review due:	September 2022

Privacy Notice - How we Process Data About Our Learners

Under data protection law, individuals have a right to be informed about how we use any personal data that we hold about them. We comply with this right by providing 'privacy to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about our learners.

Why do we collect and use learner information?

In law, we collect and use learner information under the General Data Protection Regulations (GDPR) and UK law, including:

- Article 6 and Article 9 of the GDPR - processing is necessary for the performance of a task carried out in the public interest.
- Education Act 1996.
- Regulation 5 of the Education (Information About Individual Pupils) (England) Regulations 2013.

We use learner data:

- to support learning and progression.
- to monitor and report on learner progress.
- to provide appropriate pastoral care and safeguard learners.
- to assess the quality of our services.
- to comply with the law regarding data sharing.

The categories of learner information that we collect include:

- Personal information (such as name, unique learner number and address)
- Contact information (names and contact details for parents, carers)
- Characteristics (such as ethnicity, languages spoken at home)
- Attendance information (such as sessions attended, number of absences and reasons for absence)
- Assessment information (such as termly subject marks, exam results)
- Medical information and details of any support received, including care packages and support plans
- Behaviour and achievement information (such as commendations, detentions, exclusions)
- Post-16 learning information (including courses studied and learning hours)

- Information about safeguarding concerns
- Photographs and moving images
-

We may also hold data about learners that we have received from other organisations.

Legal basis for using data

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

- We need to comply with the law.
- We need it to perform a task in the public interest (to provide our pupils with an education).

Sometimes, we may also process learner's personal data in situations where:

- Learners (or parents/carers) have given consent for us to use it in a certain way.
- We need to protect the individual's vital interests (or someone else's interests).

Collecting Learner Information

Whilst the majority of learner 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 learner information to us or if you have a choice in this.

Where we have obtained consent to use learner's 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.

Storing Learner Data

We hold Learner data until the learner reaches the age of 25. Where there have been safeguarding concerns or special educational needs, the retention of learner data will be reviewed at this point and decisions about ongoing retention will be made on an individual basis.

Who do we share learner information with?

We routinely share learner information with:

- educational institutions that pupils attend after leaving us
- the local authority (for admissions, exclusions etc.)
- the Department for Education (DfE)
- the NHS, including CAMHS (for referrals, vaccinations etc)
- the Police and Social Services (where there are safeguarding concerns)
- exam boards.

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. 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.

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.

If you want to make a request, please contact our data protection officer.

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.