

# Privacy notice for pupils – use of your personal data

## BRANSTON COMMUNITY ACADEMY



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## 1. Introduction

You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This notice explains how we collect, store and use personal data about **pupils at our school**, like you.

We, Branston Community Academy, Station Road, Branston, Lincoln, LN4 1LH, are the data controller for the purposes of data protection law.

Our data protection officer is Carrie Osborne-Day (see Contact us below).

## 2. The personal data we hold

We hold some personal information about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too – such as other schools, the local council and the government.

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

- Contact details, and date of birth
- Your test results
- Your attendance records
- Details of any behaviour issues or exclusions

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

- Information about your characteristics, like your ethnic background, eligibility for free school meals or any special educational needs
- Information about any medical conditions you have
- Photographs and CCTV images
- Biometric information (where consent has been given) eg fingerprint recognition

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

## 3. Why we use this data

We use this data to:

We use the data listed above to:

- Get in touch with you and your parents or carers when we need to
- Check how you're doing in exams and work out whether you or your teachers need any extra help
- Track how well the school as a whole is performing
- Look after your wellbeing
- Help with the running of the school eg using biometric information for the canteen (all pupils) and to get into buildings (6<sup>th</sup> Form only)

### **3.1 Use of your personal data for marketing purposes**

Where you have given us consent to do so, we may send you messages by email or text promoting school events, campaigns, charitable causes or services that you might be interested in.

You can take back this consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

### **3.2 Use of your personal data in automated decision making and profiling**

We don't currently put pupils' personal data through any automated decision making or profiling process. This means we don't make decisions about you using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

## **4. Our legal basis for using this data**

We will only collect and use your information when the law allows us to. We need to establish a 'lawful basis' to do this.

Our lawful bases for processing your personal information for the reasons listed in section 3 above are:

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
- We need it to perform an official task in the public interest

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 interests)
- We have obtained it as part of fulfilling a contract with you.

Where you've provided us with consent to use your information, you may take back this consent at any time. We'll make this clear when requesting your consent, and explain how you'd go about withdrawing consent if you want to.

Some of the reasons listed above for collecting and using your personal data overlap, and there may be several grounds which allow us to use this data.

### **4.1 Our basis for using special category data**

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK data protection law:

- We have got 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

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have got your consent to use it in a specific way
- 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 data concerned has already been made obviously public by you
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

## 5. Collecting this data

While most of the information we collect about you is mandatory (i.e. you have to give us the information), there is some information that you can choose whether or not to give us.

Whenever we want to collect information from you, we make it clear whether you have to give us this information (and if so, what the possible consequences are of not doing that), or whether you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local councils
- Government departments or agencies
- Police forces, courts or tribunals

## 6. How we store this data

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations or is considered to be in the public interest. Our records retention schedule is currently being updated and will set out how long we keep information about pupils. It will be published on the Academy's website as soon as possible.

## 7. Who we share 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.

Where it's legally required, or necessary (and it complies with UK data protection law), we may share personal information about you with:

- *Our local authority (Lincolnshire County Council) – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions and to fulfil our public interest tasks such as provision of free school meals*
- *The Department for Education – to meet our legal obligations eg to report on pupil progress*

- *The pupil's family and representatives – to carry out our public interest tasks as a school such as reporting on pupil progress or being a contact if a pupil is ill*
- *Educators and examining bodies – to carry out our public interest tasks as a school in relation to examinations*
- *Our regulator Ofsted which monitors many aspects of our public interest tasks as a school*
- *Suppliers and service providers – to enable them to provide the service we have contracted them for eg catering and educational services*
- *Financial organisations – to carry out public interest tasks requiring the taking or making of payments such as 16-19 bursaries*
- *Central and local government – to meet our legal obligations and carry out activities in the public interest, such as providing education to children in care outside Lincolnshire*
- *Our auditors – to meet our legal and public interest obligations relating to financial matters*
- *Survey and research organisations – to help us carry out our public interest tasks as a school*
- *Health authorities – to carry out our public interest tasks as a school and safeguard the vital interests of pupils*
- *Security organisations – for our public interest tasks in relation to keeping pupils safe, keeping the site secure and preventing crime*
- *Health and social welfare organisations – where this is covered by our public interest tasks as a school or safeguards the vital interests of pupils*
- *Professional advisers and consultants – to help us carry out our public interest tasks as a school, such as providing careers advice*
- *Charities and voluntary organisations – which may, for example, provide us with services or support the school's educational activities carried out in the public interest*
- *Police forces, courts, tribunals – where this necessary for the prevention and detection of crime, required by law or for purposes arising out of our public interest tasks such as safeguarding pupils*
- *Professional bodies – to help us carry out our public interest tasks as a school*

## **National Pupil Database**

We have to provide information about you to the Department for Education (a government department) as part of data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#), which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

The Department for Education may share information from the database with other organisations, such as organisations that promote children's education or wellbeing in England. These organisations 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.

## **Youth support services**

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to our youth support services provider(s), as there are 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.

Parents/carers, or pupils once aged 16 or over, can contact our data protection officer to request that we only pass the individual's name, address and date of birth to our youth support services provider(s).

## **7.1 Transferring data internationally**

We may share personal information about you with the following international third parties, where different data protection legislation applies:

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

## **8. Your rights**

### **8.1 How to access personal information that we hold about you**

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, 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
- Tell you who it has been, or will be, shared with
- 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 understandable form

You may also have the right for your personal information to be shared with another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

### **8.2 Your other rights regarding your data**

Under data protection law, you have certain rights regarding how your personal information is used and kept safe. For example, you have the right to:

- Say that you don't want your personal information to be used
- Stop it being used to send you marketing materials
- Say that you don't want it to be used for automated decisions (decisions made by a computer or machine, rather than by a person)
- In some cases, have it corrected if it's inaccurate
- In some cases, have it deleted or destroyed, or restrict its use

- Withdraw your consent, where you previously provided consent for your personal information to be collected, processed and transferred for a particular reason
- In some cases, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation if the data protection rules are broken and this harms you in some way

To exercise any of these rights, please contact our data protection officer (see 'Contact us' below).

## 9. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concerns about our data processing, please let us know first.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

- Mrs C J Osborne-Day, DPO, Branston Community Academy, Station Road, Branston, Lincoln, LN4 1LH  
01522 880400  
[GDPR@branstonca.lincs.sch.uk](mailto:GDPR@branstonca.lincs.sch.uk)