

Learner Privacy Notice

Followed by Three Towers AP Academy



Adopted: June 2023

Reviewed: Annually

Reviewer: C Bolton

Three Towers (TTAPA) is the data controller for information that it uses and that is used by the Trust:

To run the academies/schools and help learning and achievement, the school collects and uses information about learners.

In this document TTAPA is referred to as 'We' or 'Ours'. Learners are referred to as 'You' or 'Your'.

Much of the information we collect is classed as 'personal data' and our use of it is covered by a set of rules called the General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

This document tells you more about:

- The information we collect
- What we use the information for
- How your information is stored and how long we keep it
- What rights you have to the information

What Information do we collect and use about learners?

We collect many different categories of information, for example:

- Personal details such as your date of birth
- Contact details – your full, legal name and address
- Family details – your parents/carers names and addresses
- Admission records
- Attendance records – when you attend school/provision
- Absence details – when you are absent from school and why
- Learner and curricular records
- Behaviour and behaviour management records
- Academic progress – how well you are doing in lessons
- Any coursework/artwork you have produced
- Examinations details – any tests/exams you have completed during your schooling
- Trips and visits
- Extra-curricular activities
- Photographs of you
- Images from CCTV
- Files, messages, documents, any information about you
- Records of discussions with members of staff
- Records of your use of school IT systems

In some cases, we will also have:

- Information about consultation with other professionals/agencies
- Information about supporting for your learning – if you have needed any extra help
- Records of any school equipment loaned to you

- Information about plans for career or post 16 education choices

Some of the personal data we keep is given greater protection and is known as special category personal data.

Special category data that we collect and use about you includes

- Information about health conditions
- Information about sickness related absences
- Information about your ethnic origin
- Eligibility for free school meals
- Safeguarding information

Why we collect and use this information

We use the information:

- To determine if your referral can be accepted
- To support the admissions process
- To support your learning
- To keep children safe (food allergies, or emergency contact details)
- To provide appropriate pastoral care
- To help us manage any health conditions that may affect your learning
- To monitor and report on your academic progress
- To enable you to take part in tests/exams
- To comply with our legal obligations to share information
- To check the quality of our services

The legal basis for using this information

Depending on the purpose, our use of your information will be legal due to one of the following:

- Informed consent given by you or your parent or legal guardian [Article 6(1)(a)]
For example: The use of your photographs on our website
- To meet a legal requirement [Article 6(1)(c)]
For example: Providing information for the Education Department Census
- To protect the vital interests of you or someone else [Article 6(1)(d)]
For example: Giving your family details to emergency services
- Delivering a public task [Article 6(1)(e)]
For example: Recording your attendance at school each day

Where we use special category data, our use is legal due to one of the following reasons:

- Explicit informed consent given by you or your parent or legal guardian [Article 9(2)(a)]
For example: Sharing your information with the Educational Psychologists if we feel you need to be referred to them
- We are legally obliged to collect and use it [Article 9(2)(b)]
For example: Information about your ethnic origin or any disability

- To protect the vital interest of you or someone else [Article 9(2)(c)]
For example: Giving detail of health conditions to the emergency services
- Because it is part of delivering a public service [Article 9(2)(g)]
For example: Holding data on any medical condition so that we can help you manage it

Collecting this information

We collect learner information via:

- Data provided by your current or previous school
- Data provided by the local authority
- Data collection through the learner registration documents
- Through the Common Transfer File (CTF) from previous school

While the majority of information we collect about learners is mandatory, there is some information that can be provided voluntarily. Whenever we seek to collect information from you or your parents/carer, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

Storing your personal data

Most of the personal data that we collect and use is added to your Educational Record. This record is kept while you attend our school. If you leave, then your record will be treated as follows:

- If you move to another school, we will transfer a copy of your records to your new school or transferred to the local authority where you have moved to;
- If you leave at the end of your compulsory education (secondary learners who leave at the end of Y11) we retain a full copy of your record until your 25th birthday. After this we will dispose of all the records securely. If your record contains information about SEND requirements, then your file will be retained until your 35th birthday.

Some personal data is kept for different lengths of time. For example.

- Records of your admission to the school are kept permanently. We do this as learners often ask us to confirm the dates they attended an school.
- Detailed information about your daily attendance is kept for three years
- Information about free school meals is kept for the current year and 6 years afterwards

If you'd like to know how long we keep a specific piece of personal data, please contact the Data Protection Officer whose details can be found at the end of this Privacy Notice.

Sharing your personal data

At times we will share your personal data with other organisations and people. We will only do this when we are legally required to do so, when our policies allow us to do so or when you have given your consent.

Examples of people we share personal data with are:

- Local Authority (LA); to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions.

- Family, associates and representatives of the person whose personal data we are processing who are authorised to receive the data
- The Department for Education
- The National Learner Database
- Examining bodies
- Our regulator Ofsted: to meet our statutory obligations to report information such as census data and assessment data.
- Health authorities and organisations such as CAHMS, Speech and Language, School Nurse and other NHS services - to meet our legal obligations to share certain information, including safeguarding or as vital interest.
- Police forces and Courts
- Voluntary and charitable organisations
- Our suppliers and service providers e.g. our vocational placement & work experience providers
- Financial organisations e.g., the Educational Skills and Funding Agency – to enable us to meet our statutory requirements for finance and audit, for reporting purposes.
- Press and the media
- Youth Support Services (Over 13 years)
- Careers service
- School trusts

Where we share your personal data with someone who is a supplier or service provider, we have taken steps to ensure that they treat your personal data in a way that meets the requirements of the GDPR.

Youth support services – learners aged 13+

Once our learners reach the age of 13, we are legally required to pass on certain information about *them to the Local Authority in which the school is located*, as it has 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 learners 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 the Local Authority.

Youth support services – learners aged 16+ We will also share certain information about learners 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

A child / learner once they reach the age of 16 can object to only their name, address and date of birth is passed to their local authority or provider of youth support services by informing us.

Data is securely transferred to the youth support service via secure methods and is stored securely and held for the time as defined in our Data Retention Policy.

For more information about services for young people, please visit our local authority website. National Learner Database We are required to provide information about learners to the Department for Education as part of statutory data collections such as the school census and early year's census under.

National Learner Database

We are required to provide information about learners to the Department for Education as part of statutory data collections such as the school census and early year's census under regulation 5 of The Education (Information About Individual Learners) (England) Regulations 2013.

Some of this information is then stored in the [National Learner Database \(NPD\)](#), which is owned and managed by the Department of Education and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#). You can also [contact the Department for Education](#) with any further questions about the NPD.

Your rights to your personal data

You have rights relating to the personal data that we collect and use. The rights you have depend on the legal basis of us using the information. If we are using your personal data based on your consent, you can withdraw that consent and we will stop using that personal data. Withdrawing your consent will need to be recorded in writing, please contact the Data Protection Officer.

The right to be informed:

If you ask us, we must tell you if we are collecting or using your personal data.

If we are collecting or using your personal data, you have:

The right of access to your personal data

You have the right to view the personal data that we hold about you, to receive a copy of the data and to be given more information about the data including any transfer to countries who

do not fall under the requirements of the GDPR.

Some information we hold cannot be accessed in this way. If you ask for information that is not available, there may be other ways of accessing it and we can help you.

To have access to your personal data we will need to collect details of what you want and in the first instance you can contact the Data Protection Officer whose details can be found at the end of this Privacy Notice.

Other rights

You also have rights to ask us to correct inaccurate personal data, to ask us to stop using it or to object to us using it. For some data you may have to right to ask us to erase it, to provide it in an electronic format that you can give to someone else. For some personal data if we are subjecting it to automated decision making then you have the right to object to this and request that a person is involved.

You will be given full details of these rights if you request access to your personal data or you can ask the Data Protection Officer.

Parents or Guardian's rights to access your personal data

For learners up to and including Year 7 (aged under 12 years), we will usually ask your parents/carers to confirm that you can access the personal data. We will also provide your personal data to your parents/carers if they request it.

Once you reach Year 8 (aged over 12 years), we will usually consider that you can make decisions about your personal data. This means that in most cases you can request access to your personal data and we will not ask your parents for their permission. It also means that we will not normally release your personal data to your parents or guardian without your permission.

There may be occasions where we need to provide personal data to your parents or guardian without your consent. These are likely to occur if there is a concern about your safety. We may also release personal data if your behaviour creates concern for the safety or progress of others.

We will still need to ask permission from your parents or guardian for you to take part in some school and extra-curricular activities. The requirement for this permission overrides the protection of your personal data.

We are required to provide your parents or guardian with an annual report of your progress at school. We will offer the opportunity for your parents or guardian to come into school to discuss this report with your teachers and other members of staff.

At the start of each school year, we will ask you if you are willing for these reports to be sent more often, but you do not have to give this permission.

Who to contact:

The School has the responsibility to ensure that your personal data is protected. It is called the *data controller*. All members of staff work for the data controller.

We recommend that you contact the data protection administrator:

Name of Person: C Seggie
Email address: hindleyoffice@ttapa.net
Contact number: 01942 932760 (select Hindley options)
Address: Three Towers, Leyland Park House, Park Road, Hindley, WN2 3RX

Trusts are also required to have someone called a Data Protection Officer or DPO. The DPO advises the Trust about issues to do with data protection, but can also help you, if you have a problem.

Our Data Protection Officer is:

Name of DPO: GDPR Sentry Limited
Email address: support@gdprsentry.com
Contact number: 0113 804 2035
Address: Unit 434 Birch Park, Thorp Arch Estate, Wetherby, West Yorkshire, LS23 7FG

If you have any questions about this privacy notice, please contact the data protection administrator or the Data Protection Officer.

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/> or call 0303 123 1113.