



## Privacy Notice for Students (How we use student information)

**Wellacre Academy is the Data Controller for the use of personal data in this privacy notice.**

### 1. The categories of student information that we process include:

- personal identifiers and contacts (such as name, unique student number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 3 and 4 results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- educational visits (such as name, contact numbers, medical/dietary requirements)
- catering & free school meal management (such as biometric identification)
- Photographs and CCTV images captured by the school.

This list is not exhaustive, to access the current list of categories of information we process please contact:

Data Protection Officer  
Judicium Consulting Limited  
72 Cannon Street  
London, EC4N 6AE  
Email – [dataservice@judicium.com](mailto:dataservice@judicium.com)  
Web – [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)  
Telephone – 02033269174  
Lead Contact – Craig Stilwell

*Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.*

## 2. Why we collect and use student information

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

We collect and use student information, for the following purposes:

- to support student learning
- to monitor and report on student attainment progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us by the Department for Education
- to ensure the safety of educational visits
- to provide an inclusive catering facility

Our school aims to ensure that all personal data collected about students and parents is collected, stored and processed in accordance with the [General Data Protection Regulation \(EU\) 2016/679 \(GDPR\)](#) and the [Data Protection Act 2018 \(DPA 2018\)](#).

This policy applies to all personal data, regardless of whether it is in paper or electronic format.

We will only process personal data where we have one of 6 'lawful bases' (legal reasons) to do so under data protection law:

Under the General Data Protection Regulation (UKGDPR), the lawful bases we rely on for processing student information are:

- The data needs to be processed so that the school can fulfil a contract with the individual, or the individual has asked the school to take specific steps before entering into a contract
- The data needs to be processed so that the school can comply with a legal obligation
- The data needs to be processed to ensure the vital interests of the individual or another person i.e. to protect someone's life
- The data needs to be processed so that the school, as a public authority, can perform a task in the public interest or exercise its official authority
- The data needs to be processed for the legitimate interests of the school (where the processing is not for any tasks the school performs as a public authority) or a third party, provided the individual's rights and freedoms are not overridden
- The individual (or their parent/carer when appropriate in the case of a student) has freely given clear consent.

For special categories of personal data, we will also meet one of the special category conditions for processing under data protection law:

- The individual (or their parent/carer when appropriate in the case of a student) has given explicit consent
- The data needs to be processed to perform or exercise obligations or rights in relation to employment, social security or social protection law
- The data needs to be processed to ensure the vital interests of the individual or another person, where the individual is physically or legally incapable of giving consent
- The data has already been made manifestly public by the individual
- The data needs to be processed for the establishment, exercise or defence of legal claims
- The data needs to be processed for reasons of substantial public interest as defined in legislation
- The data needs to be processed for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- The data needs to be processed for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law.

- The data needs to be processed for archiving purposes, scientific or historical research purposes, or statistical purposes, and the processing is in the public interest

For criminal offence data, we will meet both a lawful basis and a condition set out under data protection law. Conditions include:

- The individual (or their parent/carer when appropriate in the case of a student) has given consent
- The data needs to be processed to ensure the vital interests of the individual or another person, where the individual is physically or legally incapable of giving consent
- The data has already been made manifestly public by the individual
  
- The data needs to be processed for or in connection with legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- The data needs to be processed for reasons of substantial public interest as defined in legislation.
- Recently the Department for Education have requested more regular data sharing on pupil attendance to help support those vulnerable and to assist with intervention strategies. Further information on how the Department for Education collects this data will be made available on the School website.

Whenever we first collect personal data directly from individuals, we will provide them with the relevant information required by data protection law.

We will always consider the fairness of our data processing. We will ensure we do not handle personal data in ways that individuals would not reasonably expect, or use personal data in ways which have unjustified adverse effects on them.

### **3. Collecting student information**

We collect student information via Common Transfer File (CTF) at the start of the school year.

Student data is essential for the schools' operational use. Whilst the majority of student information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain student information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

### **4. Storing student data**

We hold student data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please contact:

Data Protection Officer  
Judicium Consulting Limited  
72 Cannon Street  
London, EC4N 6AE  
Email – [dataservice@judicium.com](mailto:dataservice@judicium.com)  
Web – [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)  
Telephone – 02033269174  
Lead Contact – Craig Stilwell

## 4.1 Who we share student information with

We routinely share student information with:

- schools
- local authorities
- youth support services (students aged 13+)
- the Department for Education (DfE)
- school nurse
- alternative educational providers

We will not normally share personal data with anyone else without consent, but there are certain circumstances where we may be required to do so. These include, but are not limited to, situations where:

- There is an issue with a student or parent/carer that puts the safety of our staff at risk
- We need to liaise with other agencies – we will seek consent as necessary before doing this
- Our suppliers or contractors need data to enable us to provide services to our staff and students – for example, IT companies. When doing this, we will:
  - Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with data protection law
  - Establish a contract with the supplier or contractor to ensure the fair and lawful processing of any personal data we share
  - Only share data that the supplier or contractor needs to carry out their service

We will also share personal data with law enforcement and government bodies where we are legally required to do so.

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our students or staff. Where we transfer personal data internationally, we will do so in accordance with data protection law.

## 5. 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.

This enables them to provide services as follows:

- youth support services
- careers advisers

A parent or guardian can object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the child/student once they reach the age 16.

Data is securely transferred to the youth support service via the school's Connexions Advisor and stored in accordance with Local Authority retention procedures.

## 6. Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our students with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

Regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

## 7. Local Authorities

We may be required to share information about our students with the local authority to ensure that they can conduct their statutory duties under:

- the [Schools Admission Code](#), including conducting Fair Access Panels.

## 8. Requesting access to your personal data

Under UKGDPR, 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 educational record, contact:

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Judicium Consulting Limited  
72 Cannon Street  
London, EC4N 6AE  
Email – [dataservice@judicium.com](mailto:dataservice@judicium.com)  
Web – [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)  
Telephone – 02033269174  
Lead Contact – Craig Stilwell

Depending on the lawful basis above, you may 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
- a right to seek redress, either through the ICO, or through the courts

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

## 9. Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting:

Paula Bailey  
Business Director  
Wellacre Academy  
Irlam Road  
Flixton  
Manchester, M41 6AP  
Telephone – 0161 748 5011  
Email – [admin@wellacre.org](mailto:admin@wellacre.org)

In regards to images, at the point that you withdraw your consent, they will no longer appear in future publications, but we cannot prevent them from continuing to appear in publications already in circulation.

## 10. Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated March 2020

## 11. Contact us

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

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Judicium Consulting Limited  
72 Cannon Street  
London, EC4N 6AE  
Email – [dataservice@judicium.com](mailto:dataservice@judicium.com)  
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## 12. How Government uses your data

The student data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Student Progress measures)
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

## 13. 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>

## 14. The National Student Database (NPD)

Much of the data about students in England goes on to be held in the National Student Database (NPD).

The NPD is owned and managed by the Department for Education and contains information about students 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.

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

## 15. Sharing by the Department

The law allows the Department to share students' personal data with certain third parties, including:

- schools
- local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 students per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided student information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfе-external-data-shares>

## 16. How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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