 **Privacy notice for pupils**

You have a legal right to be informed about how your school uses any personal information that we hold about you. To comply with this, we provide a ‘privacy notice’.

Personal information is any information that relates to you that can be used directly or indirectly to identify you. This includes information such as your name, date of birth and address as well as information relating to your exam results and behaviour records. This may also include sensitive personal information, such as your religion, medical details, photos and video recordings.

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

**Responsibilities**

**The Together Trust,** on behalf on Ashcroft School, is responsible under data protection law to inform you about how your school uses any personal data that it holds about you.

**Ashcroft School,** an independent special school, is a service run by the Together Trust. The school caters for children and young people aged 5 to 18 years who have struggled to cope in other settings because of their individual barriers to learning.

The Together Trust has a Data Protection Officer who can be contacted;

By email: dataprotection@togethertrust.org.uk

Or by writing: DPO, Together Trust Centre, Schools Hill, Cheadle, SK8 1JE

**The personal data we hold**

We hold 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 – like other schools, the local council and the government.

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

* Your contact details
* Your test results
* Your attendance records
* Details of any behaviour issues or exclusions
* Safeguarding information/Child Protection information. Confidential child protection/Safeguarding records may be held and do not need consent from a Parent/Guardian.
* CCTV Images

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of personal data. This refers to information, which is more sensitive to you and therefore needs greater protection from us. This includes, but is not restricted to:

* Information about your characteristics, like your ethnic background or any special educational needs
* Information about any health and medical conditions you have
* Photographs and CCTV images

**Why we use this data**

We use this data to:

* Support your learning
* Get in touch with you and your parents 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
* Carry out research
* Meeting statutory duties for DfE data collections

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

We do not currently put your personal information through any automated decision making or profiling process. This means we do not 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 how we do this to you, including your right to object to it.

**Why are we allowed to use your data**

We only collect and use your personal data when the law allows us to. Most commonly, this is where:

* We need to comply with a law (such as the Education Act 1996, 2002 and 2011, The Children’s Act 1989 and 2004, Education and Skills Act 2008 and the Equalities Act 2010.)
* We have a duty to provide it as part of a contract (such as your local authority)
* We have a legitimate interest to use your data. There will be a minimal impact on your privacy and we have a strong reason to use it (such as to support your learning)

Less commonly, we may also collect and use your personal data in situations where:

* We have obtained you or your parents’/guardian’s consent to use it in a certain way
* We need to protect yours (or another persons’) vital interests (i.e. in a medical emergency).

Where we have obtained consent to use your personal data (i.e. taking photographs), 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.

**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 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 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 eg, safeguarding concerns
* We need to use it to make or defend against legal claims
* 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, eg, Covid management and response

 **Collecting this information**

Whilst the majority of information we collect about you is needed, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether providing it is needed or optional. If it is needed, we will explain the possible consequences of not providing it to us.

**How we store this data**

We keep personal information about you while you are attending our school. We may also keep it after you leave our school if this is necessary, in order for us to comply with our legal responsibilities.

In general, we will try to keep data only for as long as we need it and this may be for a minimum of 25 years or longer in accordance with legislation and regulatory guidance. Information will be securely destroyed afterwards.

You can request our full retention schedule by contacting our Data Protection Officer.

**Who we share data with**

We do not share information about you with any third party without consent, unless the law and our policies allow us to do so.

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

* Our local authorities – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
* The Department for Education (such as for the Pupil National Database)
* Your family and representatives
* Educators, examining bodies and our regulator Ofsted
* Suppliers and service providers – (such as IT systems or cloud storage providers). We have a contract with these services to make sure your personal data will be kept securely and only in agreement with the school’s rules.
* Survey and research organisations
* Health authorities and social welfare organisations
* Professional advisers and consultants
* Police forces, courts, tribunals
* Government departments (e.g. Education Funding Agency)
* Youth support /careers services providers at age 13 +
* Youth support/careers services/post 16 education providers at age 16+

**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](https://www.gov.uk/government/collections/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.](https://www.gov.uk/data-protection-how-we-collect-and-share-research-data) You can also [contact the Department for Education](https://www.gov.uk/contact-dfe) if you have any questions about the database.

**Transferring data internationally**

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

**Can I see my data**

You have a right to make a request to see the personal information that the school holds about you. This is called a ‘subject access request’.

If you make a subject access request, and if we do hold information about you, we will (unless there’s a really good reason why we shouldn’t):

* 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 parent or guardian
* 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

You also have the right for your personal information to be passed electronically to other organisations in certain circumstances.

To request access, please contact the Data Protection Officer.

**Right of others to access your educational record**

Your parents, or those with parental responsibility, also have the right to access your educational record. This right applies as long as you are aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of yourself or another individual, or if it would mean releasing exam marks before they are officially announced.

**Other rights**

You also have other rights regarding how your personal data is used and kept safe. This includes 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 certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
* Make a complaint to the Information Commissioner’s Office or claim compensation if these data protection rules are broken and this harms you in some way

The Together Trust has produced a guide [‘Know you rights’](https://www.togethertrust.org.uk/sites/default/files/Know%20your%20rights%20V2.pdf) to explain these in more detail. To exercise any of these rights please contact our Data Protection Officer.

**Complaints**

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

If you think that our collection or use of your personal information is unfair, misleading or inappropriate, or have any other concern, please raise this with us in the first instance by contacting our Data Protection Officer.

You can also 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 or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer:

* By email: dataprotection@togethertrust.org.uk
* Or by writing: DPO, Together Trust Centre, Schools Hill, Cheadle, SK8 1JE

*This notice is based on the* [*The Key Support Services Ltd*](https://schoolleaders.thekeysupport.com/) ‘*Model Privacy Notice – parents- use of their own data’, amended to reflect the way we use data in this school.*