



**Royal Wootton Bassett Academy Trust
Privacy Notice**

**Secondary School Students within Royal Wootton Bassett Academy Trust, to
explain how we use your personal information.**

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RWBAT Responsibility: TELT

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¹This document has been prepared in accordance with the Data Protection Act 2018, the UK General Data Protection Regulation and other related legislation and applies to all schools and operations of Royal Wootton Bassett Academy Trust.

This privacy notice advises students of the organisation's commitment to data protection responsibilities of privacy and confidentiality relating to the collection and processing of personal information.

You are being provided with this notice because current guidelines state that students from the age of 13 are considered mature enough to make decisions about their own personal information.

This notice provides details about:

- The personal information we collect on students.
- How we collect that personal information.
- What we do with the personal information.
- Your rights in relation to any personal information held and processed by the school.

We have an appointed Data Protection Officer with responsibility for ensuring that students' personal information is held and processed in the correct way. Questions about this policy, or requests for further information, should be directed to the Data Protection Officer on dpo@rwbatrust.org.uk.

What is personal information?

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, medical details, and behaviour records. This may

also include sensitive personal information, such as your religion or ethnic group, photos, and video recordings.

Personal information and processing are defined as follows:

- Personal data means any information relating to an identified or identifiable natural person (data subject). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person (UK GDPR article 4).
- Special categories of personal data means information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and biometric/genetic data (UK GDPR article 9).
- Processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction (UK GDPR article 4).

Data Protection Principles

We process personal data about students in accordance with the following data protection principles:

- We process personal data lawfully, fairly and in a transparent way.
- We collect personal data only for specified, explicit and legitimate purposes.
- We process personal data only where it is adequate, relevant, and limited to what is necessary for the purposes of processing.
- We keep accurate personal data and take all reasonable steps to ensure that inaccurate personal data is rectified or deleted without delay.
- We keep personal data in a form which permits identification from personal data for no longer than is necessary for the processing or, if for longer periods, for such reasons as permitted by the UK GDPR.
- We adopt appropriate measures to make sure that personal data is secure, and protected against unauthorised or unlawful processing, accidental loss, destruction, or damage.

In our privacy notices, we tell individuals the reasons for processing their personal data, how we use such data and the legal basis for processing. We will not process personal data of individuals for reasons other than the stated purpose or purposes.

Where we process special categories of personal data or criminal records data to perform obligations, this is done in accordance with a policy, or for legal reasons. We will update personal data promptly if an individual advises that his/her information has changed or is inaccurate.

Legal Basis for Using Student's Personal Data

There are several reasons why we hold, process, and share students' personal data. Under data protection laws, the lawful reasons for processing personal data include:

- Consent.
- For the performance of a contract.
- To comply with a legal obligation.

- To protect the vital interests of the student or another person.
- For a task carried out in the public interest.
- For a legitimate interest of the school or one of the organisations it shares data with (e.g. legal adviser) except where those rights are overridden by the interests or fundamental rights and freedoms of the data subject which require protection, particularly in the case of a minor.

Sometimes the handling of students' personal data falls within several of the above lawful grounds.

Consent

We may ask for your consent to use your information in certain ways, such as publicity of photographs on marketing materials including our website. If we ask for your consent to use your personal data, you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid.

Performance of a contract

On some occasions, the school will process students' personal data for the performance of a contract.

Legal obligation

This is where we need to use students' personal data to comply with a legal obligation.

Statutory reporting requirements to the Department for Education (DFE) are included within this section. As is disclosing information to third parties such as the courts or the police where we are legally obliged to do so.

Vital interests

This legal basis can be used where, for example, we need to disclose information about students to prevent them or someone else from being seriously harmed. An example can include providing information to a medical professional about a student in circumstances where they are unable to provide the information themselves. It is likely to cover an emergency medical situation.

Public interest

We consider that we are acting in the public interest when providing education.

Specifically, we have a public interest in:

- Providing an education.
- Fulfilling our safeguarding obligations and investigating complaints that may be directly connected with you or may require access to your personal data when investigating complaints by others.
- Promoting the interests of the school.
- Managing the school efficiently.

Legitimate interests

We have many legitimate interests for which we hold, retain, process, and share students' personal data. The UK GDPR states that the exception to using this ground is where it is detrimental to a student's rights.

Why do we collect and process students' personal data?

We use students' personal data to:

- Support learning.
- Monitor and report on student progress.
- Provide appropriate pastoral care.
- Assess the quality of our services.
- Comply with the law regarding data sharing.
- Provide access to educational and online services for the benefits of our pupils

How do we obtain personal data?

We obtain personal data in a variety of ways. Some of the information comes from the admissions forms and acceptance forms which have been supplied to us. We also receive information about students from other schools and agencies, such as healthcare professionals. Data is also obtained from your parents, carers or guardians, your teachers, and other students.

With whom do we share students' personal data?

We do not share information about our students with anyone without consent unless the law and our policies allow us to do so.

We share students' data with the DFE on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

Students' data, where it is reasonable to do so, may also be shared with other professionals contracted by the school, such as legal and professional advisers or insurers. In addition, a data security contract with a third-party IT services provider or as part of cloud-based storage may also process your personal data for the purpose of securely holding and protecting your data.

Third parties

The DFE may share information about our students with third parties who promote the education or well-being of students in England by:

- Conducting research or analysis.
- Producing statistics.
- Providing information, advice, or guidance.

The DFE has robust processes in place to ensure the confidentiality of our data is maintained. There are stringent controls in place regarding access to and use of the data. Decisions on whether the DFE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- Who is requesting the data.
- The purpose for which it is required.
- The level and sensitivity of the requested data.
- The arrangements in place to store and handle the data.

We may also pass student information to our LA and/or provider of youth support services, because 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 such as:

- Youth support.
- Careers advice.

- Post-16 education and training providers.

You can request that only your name, address and date of birth is passed to their LA or provider of youth support services by informing us.

To be granted access to student information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For information about the DFE's data sharing process, please visit: www.gov.uk/data-protection-how-we-collect-and-share-research-data.

For information about which organisations the DFE has provided pupil information to (and for which project), please visit: www.gov.uk/government/publications/national-pupil-database-requests-received.

Further examples of why we collect, hold, and share students' personal data

Here are some further examples of why we collect, hold, and share students' personal data. If you would like more information about any of these, please contact our Data Protection Officer.

- We may need to share information about your health and wellbeing with those who have responsibility for student welfare.
- We need to tell all appropriate members of staff if you have specific medical needs.
- We need to tell all appropriate members of staff if you might need extra help with some tasks.
- We may need to provide information containing your personal data to other schools and colleges. We may need to pass on information which they need to look after you. For example, your behaviour at other schools and your assessment results.
- We may need to share data with external examination boards.
- Where we have the right to do so, we may share your academic and behaviour records with your parent, carer, or guardian.
- We may share information about you between the schools in the MAT. For example, how well you have done at other schools, and your assessment results.
- We will only share your information with other people and organisations when we have a legitimate reason to do so.
- If you are involved in a serious incident, and the police have become involved, we may need to share information with the police and record any action taken.
- We are required to share information about our students with the DFE under the Education (Information About Individual Pupils) (England) Regulations 2013.
- Sometimes we need to share information with the police or our legal advisers to help with an inquiry. For example, safeguarding issues or injuries.
- We might need to share student's information with consultants, experts and other advisers who assist us in the running of the school, if this is relevant to their work.
- On occasions external consultants/contractors may have temporary access to personal data held by the school. For example, IT consultants might be granted temporary access to students' personal data in order to fulfil their contract(s). Access will only be granted to consultants who have demonstrated compliance with the school's data protection standards.
- The school uses various IT systems. This may include using cloud-based storage systems to hold student data. Before use, the school ensures that adequate security measures are in place.

- We may need to share some information with our insurance provider to ensure we maintain cover or to process any claims.
- We may need information about any court proceedings or judgements concerning you. This is so that we can safeguard your welfare and the welfare of other students at the school.
- We may monitor your use of the school's email, internet and other electronic devices provided by the school e.g. iPads or laptops. We monitor to ensure appropriate use of these technologies and to confirm that you are not putting yourself at risk of harm.
- We have CCTV in operation to make sure the school sites are safe. CCTV is not used in private areas such as changing rooms.
- We may use photographs or videos of you on our website, social media sites, newsletters, and publications as part of our advertising of the school.
- We publish our achievements, successes and exam results and other news on the website. We also send articles, photographs, and videos to local and national news outlets to celebrate the school's successes.
- Sometimes we use photographs and videos to support curriculum activities, for example, to provide feedback on a presentation you may have given.

Automated decision-making and profiling

We do not make automatic decisions or undertake automated decisions regarding individuals to evaluate certain information about an individual (profiling).

Special categories of personal data

We must also comply with an additional condition where we process special categories of personal data. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

Some of the reasons we process such data on students include:

- Legal claims. The processing is necessary for the establishment, exercise, or defence of legal claims. This allows us to share information with our legal advisers and insurers.
- Medical purposes. This includes medical treatment and the management of healthcare services.
- For compiling census data as required by law.
- Biometric Data for cashless catering/Printing system and in some cases door access.

How do we protect students' personal data?

We take the security of students' personal data very seriously. We have internal policies and controls in place to try to ensure that data is not lost, accidentally destroyed, misused, or disclosed, and is not accessed except by our employees in the performance of their duties.

Where we engage third parties to process personal data on our behalf, they do so based on written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data. For example, we ensure the school uses encrypted devices, uses passwords, virus protection and has appropriate firewalls.

Sending information to other countries

With cloud-based storage and some other services sometimes being supplied outside the UK, personal data can be sent to other jurisdictions.

Our servers and storage systems are based in the EU or the European Economic Area (EEA) and we have ensured that appropriate safeguards are in place to protect students' personal data.

How long do we keep students' personal data?

We keep students' personal data for the time they are learning at our schools. We will also keep certain information after students have left the school. A copy of our Retention Schedule is available from the Data Protection Officer.

What rights do you have in relation to your information?

You have the following rights in relation to your personal data. Some of these rights are new.

- The right of access to the personal data and supplementary information. This right is to enable you to be aware of and verify the lawfulness of the personal data we are processing.
- The right to rectification. This right allows you to have personal data rectified if it is inaccurate or incomplete.
- The right to erasure. This is also known as the 'right to be forgotten'. This is not an absolute right and applies in specific circumstances.
- The right to restrict processing. This right applies in circumstances where, for example, the data subject contests the accuracy of the data or challenges the public interest or legitimate interest basis. Further guidance can be obtained from the ICO's website.
- The right to data portability. This allows individuals to obtain and reuse their personal data for their own purposes.
- The right to object. Individuals have the right to object to:
 - Processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority.
 - Direct marketing.
 - Processing for scientific/historical research and statistics.
- Rights in relation to automated decision making and profiling.

There are specific rights in relation to a student's personal data. Further guidance and advice on the above rights can be obtained from the ICO's website <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>.

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance by contacting the Data Protection Officer at dpo@rwbatrust.org.uk. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Remote Learning:

As a direct result of the COVID-19 pandemic, schools are required to provide remote education for pupils who are self-isolating or during periods of partial school closures. You can learn more about this from the school's remote education information provision which can be found on the school website.

Withdrawal of consent:

Where we are processing your data with your consent, you have the right to withdraw that consent if you change your mind or are unhappy with our use of your personal data. Please let us know by contacting the Data Protection Officer on dpo@rwbatrust.org.uk.

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 on 1st March 2021.

Contact:

If you would like to discuss anything in this privacy notice, please contact the Data Protection Officer on dpo@rwbatrust.org.uk.