



# **Student Privacy Notice:**

## **How we use your information**

This privacy notice was updated on the 1<sup>st</sup> March 2022 and should be read alongside our main privacy notice on our website at [www.thedeafacademy.ac.uk](http://www.thedeafacademy.ac.uk)

## Personal information we collect

We collect the following information about you:

- Personal identifiers (such as name, date of birth, unique student number, candidate or examination numbers and contact details)
- Characteristics (such as ethnicity, language, religious beliefs and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- School travel arrangements
- Medical and administration (such as doctor's information, child health, dental health, allergies, medication, dietary requirements and COVID19 information)
- Educational file
- Special educational needs (including the needs and ranking)
- Attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Educational performance, attainments and achievements
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Photographs and video recordings of you and your work (such as official school photographs, classwork activities, performances or events, school trips and sports days)
- Your image captured on our CCTV system when you are on school premises
- Your facial image captured on student records system
- Your consent preferences

## We need this information to:

- Assess your eligibility to attend our school and process your admission
- Support your learning and help you reach your educational goals
- Monitor and report on your progress, attainment, attendance and behaviour
- Help us build a picture of your educational, social and health needs, so we can support you
- Provide you with catering, library, ICT and learning resources
- Communicate with you regarding homework and other important school matters
- Keep you and other children safe (food allergies, emergency contacts, professional involvement)
- Assess your eligibility for funding, bursaries and grants
- Comply with our laws regarding data sharing
- Help crime prevention, detection and public safety
- Respond to complaints, grievances and discipline investigations
- Assess the quality of our services
- Meet our legal duties placed upon us by the Department for Education

## Who we share information with

We share information with a range of organisations, companies and agencies, where it is necessary for us to carry out our legal responsibilities and duties as a school. We only share information about you where it is **strictly necessary** for us to do so, and the law and our policies allow us to do this. The following are examples of who we share information with:

### Department for Education (DfE)

We are required to share information about our students with the DfE (this is known as the 'school census'), either directly or via our local authority, so the DfE can carry out their statutory duties regarding data collections. Our duty to share this information comes under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

### Find out more

- For school census and our data collection requirements visit the DfE website [here](#)
- Much of the data about students in England goes on to be held in the National Pupil Database (NPD). To find out more about the NPD, visit their website [here](#)
- The law allows the DfE to share students' data with certain third parties. For more information about the DfE's data sharing process, visit their website [here](#)
- To find out which organisations the DfE has provided student information to, visit their website [here](#)
- To find out how the DfE collects and shares student data for research purposes, visit their website [here](#)

### Our local authority – school admission and safeguarding teams

We have a legal requirement to share certain information about our students, with our local authority, to ensure that they can carry out their statutory duties under the [Schools Admission Code](#), including conducting Fair Access Panels.

We may also be required to share child protection or safeguarding information with them, so we can carry out our statutory duties under section 11 of the Children's Act 2004 (duty to safeguard and promote the welfare of children) and to enable the local authority to carry out their duties under section 47 of the Children's Act 1989 (duty to investigate and take action to safeguard children).

### Educational psychologists, school nurses and health visitors

We may share information about a student with educational psychologists, health workers (such as the school nurse), social workers or other professionals, to ensure the student receives the appropriate health, educational or wellbeing support they need. Sharing in these instances, will usually be carried out with the consent of the parent/carer and the student if appropriate.

### Other schools when a student leaves us

We are required to share a student's Common Transfer File and educational record with their next school when they leave us. We are also required to share a student's 'curricular record' with the student's intended school, upon request. We are required to share this data under The Education (Pupil Information) (England) Regulations 2005.

If the school has a concern about the safety of a student, it has a duty to share relevant information with the next school, in order to safeguard that student or others. Our school complies with the HM Government *'Information Sharing Advice for Practitioners Providing*

*Safeguarding Services to Children, Young People, Parents and Carers' (July 2018)*, whenever it shares personal data. Further information about our information sharing practices can be found in our Safeguarding and Child Protection Policy which is available on the Academy's website in the Policies and Reports

### **Examination boards and moderators**

We are required to share information about our secondary school students with examination boards and moderators, so they can enter those students into exams, make accessibility arrangements for them where required, mark their work and issue their grades.

### **Ofsted**

We may be required to support an Ofsted inspection, where an inspector asks to see a sample of the school's records. These records could identify a student. Any personal information the inspector may see, will not be taken away or used in their reports.

### **Youth support services and careers advisors**

Once our students reach the age of 13, we must share student information 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 youth support services and careers advisors.

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 student once they reach the age 16.

We must also share certain information about students 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 post-16 education and training providers; youth support services and careers advisors.

When a student reaches the age of 16, they can object to only their name, address and date of birth being passed to their local authority or provider of youth support services, by informing us.

### **Police and law enforcement agencies**

We may be required to share information about any person we hold information about, to the police or other law enforcement agencies, to assist them in an investigation or to prevent or detect a crime or safeguard individuals at risk.

### **Research projects**

We may be invited from time to time to take part in important local or national research projects or initiatives, which are endorsed by the Department for Education. We will let you know if we need to share identifiable student data as part of these projects and you will be given the opportunity to opt out from your information / your child's data being used in this way.

## Service providers

We use companies that provide us with a service to help us run effectively as a school. The services we often receive are IT support, professional advice and support (eg Human Resources), legal advice, learning or teaching resources, communication services, catering or transport. To receive these services, we sometimes need to share personal information or use their products to store school data.

We also work alongside other organisations or individuals that provide services directly to our parents or students, such as the school photographer, organisers of extra-curricular clubs or activities or companies that run school trips or provide accommodation or transport. The companies/individuals we use in these circumstances, may change on a regular basis. If you would like information about any specific companies or individuals we work alongside, please contact us.

## Our legal basis

The main legal bases we rely on when we process your personal information are as follows:

- **It is necessary for us to perform a task which is in the public interest or to exercise our official duties as a school**  
This broad legal basis is applicable to almost all the processing we do involving personal data.
- **It is necessary for compliance with a legal obligation**  
This is applicable where a specific law requires us to collect or share personal data. This will include sharing data with the Department for Education (DfE), Her Majesty's Revenue and Customs (HMRC) or HM Courts and Tribunal Service (e.g. following a court order).
- **The data subject has given their consent**  
Consent is not required for most of the processing we do, however, there are occasions when we ask for consent. For example, if we want to publish photographs or videos of students; collect student fingerprints to provide them with access to our cashless catering or library systems; share data with other organisations or individuals where we are not legally required to share that data. Where we are processing your data with your consent, you have the right to withdraw that consent. If you change your mind, or if you are unhappy with our use of your personal data, please let us know by contacting the school office.
- **The processing is necessary to protect the vital interests of the data subject or someone else**  
This is applicable where a person's life could be at risk and we need to share or make available information to help them. This could involve sharing serious allergy information with staff, paramedics or other medical professionals, or other information requested by the police or social services, to assist them in their enquiries to protect that person.

When we process 'special category' data, we must have another legal basis. Special category data is personal data which reveals a person's racial or ethnic origin, religious or philosophical

beliefs, genetic data, biometric data (such as fingerprints), health, sex life or sexual orientation. The main legal bases we rely on when we process this type of data is as follows:

- **The data subject has given explicit consent**  
This is usually applicable where we ask for health or dietary information about our students.
- **The processing is necessary for performing any right or obligation which is imposed on the school in relation to social protection law (e.g. safeguarding individuals at risk and protection against unlawful acts)**  
This is usually applicable where we are performing our safeguarding duties to protect students.
- **It is necessary to protect the vital interests of any person where the data subject is physically or legally incapable of giving consent**  
This could be relied upon in situations where someone has become seriously ill on our premises and we are asked by medical practitioners (such as paramedics), to share information we know about that person's health or allergies.
- **The processing is necessary for the establishment, exercise or defence of legal claims**  
We may share or use special category data where legal action is being considered or underway.
- **The processing is necessary in the substantial public interest**  
This may be relied upon in circumstances such as where our processing is necessary to safeguard children or others at risk or where we respond to requests from the Police or law enforcement bodies, to assist in an investigation to prevent or detect an unlawful act.

This list is not exhaustive.

## How we protect your information

We take our security responsibilities seriously in order to protect your personal data from accidental or unlawful access, disclosure, loss, damage or destruction. For example:

- Access to our data is on a strict need to know basis
- Our electronic records are held on encrypted servers
- We use up to date virus and malware protection software; security patches are applied promptly and we back up our data regularly
- Our sensitive paper files are locked away with restricted access to the keys
- Our employees, volunteers and governors are subject to Disclosure and Barring Service (DBS) checks and employee contracts contain confidentiality clauses
- We have policies, procedures and training around data protection, security, record disposal and confidentiality
- We have strict visitor management security procedures in place
- We use encrypted email or secure file sharing platforms to share personal data with external organisations
- We carry out due diligence checks on our service providers and Data Protection Impact Assessments, where required.

## Storing personal data

The personal information we collect and store is essential for our school's operational use. We only keep personal information for as long as we need to, and where it is necessary to comply with any legal, contractual, accounting or reporting obligations. After this period, we delete or securely destroy personally identifiable data.

For more information about how long we keep personal data for, see our Record Retention Schedule

## Your data protection rights

You have the following rights under the data protection laws:

- The right to be told how your personal data is being processed (this information can be found in our privacy notices)
- The right to request access to your personal data
- The right to rectify personal data held about you which is inaccurate or incomplete
- The right to have your data erased in certain circumstances
- The right to restrict the processing of your information in certain circumstances
- The right to object to your information being used for public interest or direct marketing purposes
- The right to ask that your personal data is transferred from one organisation to another or given to you, in certain circumstances
- The right to complain to the organisation processing your personal data if you are not happy with the way it has been handled, and to escalate this to the Information Commissioner if you remain dissatisfied.

To exercise these rights, please contact us by emailing [reception@thedeafacademy.ac.uk](mailto:reception@thedeafacademy.ac.uk) you are not usually required to pay a fee and can expect to receive a response within one calendar month. Further information about your data protection rights can be found on the Information Commissioner's Office website at [www.ico.org.uk](http://www.ico.org.uk)

### Your right to complain

We work to high standards when it comes to processing your personal information. We hope you will always be happy with the way we handle your information, however if we have not met your expectations, please let us know so we can put things right. To do this, please email the school at [reception@thedeafacademy.ac.uk](mailto:reception@thedeafacademy.ac.uk). If you would like to make a formal complaint, our complaints procedure is available on the Academy's website in the Policies and Reports section.

## Contact Us

the Deaf Academy  
1 Douglas Avenue  
Exmouth  
Devon  
EX8 2AU

Phone: 01395 203130

BSL users, text only to: 07398248306  
Email: [reception@thedeafacademy.ac.uk](mailto:reception@thedeafacademy.ac.uk)

## **Data Protection Officer**

Our Data Protection Officer (DPO) is Claire Quick. If you have any queries about this privacy notice or any matter relating to the handling of your personal data, you can contact our DPO directly at [cquick@thedeafacademy.ac.uk](mailto:cquick@thedeafacademy.ac.uk)

## **Changes to this privacy notice**

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 [\[01/03/2022\]](#)