

Student Privacy Notice

Student Privacy Notice: How we use your information

This privacy notice was updated on the 26 September 2023 and should be read alongside our main privacy notice on our website at www.thedeafacademy.ac.uk

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The Charity, Exeter Royal Academy for Deaf Education, operates a non-maintained residential special school and independent specialist college for students aged 5 to 25 years (The Deaf Academy). The Charity also operates a Children's Home for deaf young people. Our registered address is The Deaf Academy, 1 Douglas Avenue, Exmouth, Devon, England, EX8 2AU and our company number is 06585703. Our charity number is 1124523.

We understand our moral and legal responsibility to respect your privacy and take care of any personal data we hold about you, in compliance with the data protection legislation. This privacy notice explains what personal data we process, why, who we share it with, how we keep it secure and your rights.

We are the data controller for the personal data set out in this privacy notice. Our Data Protection Registration Number is Z7279006.

How we get information

Most of the personal data we process is provided to us directly by you for the following reason:

- You are a student attending our Academy

The collection and processing of personal data is essential for the Academy and our charity to operate effectively. Whilst the majority of the information provided to us is mandatory, some of it is requested on a voluntary basis.

To comply with the General Data Protection Regulation (the UK GDPR), we will inform you at the point of data collection, whether you are required to provide certain 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.

We may also receive personal information about you indirectly, for example:

- If you are a student, your previous education setting may send us your education file when you join our school or college.
- External professionals and agencies working with you may send us your education and health care plans when you join our Academy so we can support you.
- Public authorities, regulators or law enforcement bodies may give us information to assist them in their enquiries or to help safeguard children or support you.

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Personal information we collect and why

Students (including residential students)

Description	Examples
Personal identifiers	<i>Name, date of birth, contact details, unique student number, candidate or examination numbers.</i>
Characteristics	<i>Ethnicity, language, religious beliefs and free school meal eligibility.</i>
Safeguarding information	<i>Court orders, professional involvement, observations and outcome.</i>
Travel	<i>School travel arrangements.</i>
Special educational needs	<i>Needs, ranking and support plans</i>
Medical and administration	<i>Doctor's information, child health, dental health, allergies, medication, disability, dietary and other relevant health information (such as COVID19 data).</i>
Education	<i>Educational performance, assessments and attainments such as key stage 1 and phonics results, post 16 courses enrolled and relevant results.</i>
Attendance	<i>Sessions attended, number of absences, absence reasons and any previous schools attended.</i>
Behavioural information	<i>Exclusions and any relevant alternative provision put in place.</i>
Faith and beliefs	<i>Religious or other beliefs.</i>
Images	<i>CCTV, photographs or video recordings of you or your work (such as official school photographs, classwork activities, performances or events, school trips and sports days), visitor management system and student record system.</i>
Consent	<i>Your consent preferences</i>
Trips and activities	<i>Consent forms, relevant health conditions, medication, dietary requirements, support plans</i>

We need this information for a variety of reasons, for example:

- to process your admission request to join our Academy
- to support student learning
- to provide you with catering, library, ICT and learning resources
- to monitor and report on student progress, attainment, attendance and behaviour
- help us build a picture of your educational, social and health needs, so we can support you
- to provide appropriate pastoral care
- to provide accommodation and residential care

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- to assess the quality of our services and your eligibility for funding, bursaries and grants
- to help crime prevention, detection, public safety and to keep children safe
- Respond to complaints, grievances and discipline investigations
- to comply with our legal responsibilities for data collection and data sharing with the Department for Education (DfE) and other legal bodies

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. 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:

<p>Department for Education (DfE)</p>	<p>We have a legal requirement to share certain information about our pupils, students, employees and governors to the DfE:</p> <p>Students 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.</p> <p>Find out more</p> <ul style="list-style-type: none"> • For school census and our data collection requirements visit the DfE website here • Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD). To find out more about the NPD, visit their privacy notice here • The law allows the DfE to share pupils’ data with certain third parties. For more information about the DfE’s data sharing process, visit their website here • To find out how the DfE collects and shares pupil data visit their website here
<p>Local authority <i>School Admission & Safeguarding Teams</i></p>	<p>We have a legal requirement to share certain information about our students with our local authority:</p> <p>Students We have a legal requirement to share certain information about our students with our local authority, to ensure that they can carry out</p>

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	<p>their statutory duties under the Schools Admission Code, including conducting Fair Access Panels.</p> <p>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).</p>
<p>Health Partners <i>Educational psychologists, school nurses and health visitors</i></p>	<p>We sometimes share information about our students with health professionals, to help them receive the necessary educational and pastoral support they need. This is usually shared with the parent’s consent (and if appropriate the student’s consent) unless it is necessary for us to carry out our official duties or safeguard the welfare of the child.</p>
<p>Other schools</p>	<p>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.</p> <p>If the school has a concern about the safety of a student, it has a duty to share relevant information with the next school to safeguard that student or others.</p> <p>Our school complies with the Department for Education: <i>Keeping Children Safe in Education</i> 2023, whenever it shares personal data. Further information about our information sharing practices can be found on our Safeguarding page at Policies - the Deaf Academy</p>
<p>Standards and Testing Agency</p>	<p>We are required to share information about students in year 2 and in year 6 to the Standards and Testing Agency, so they can facilitate and report on our key stage 1 and key stage 2 national curriculum tests (commonly referred to as SATs). More information about SATs is available on the government’s website here</p>
<p>Examination boards and moderators</p>	<p>We are required to share information about our 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.</p>

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<p>Youth support services and careers advisors</p>	<p>When our students reach the age of 13, we must share student information (including parent contact details) 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.</p> <p>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.</p> <p>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.</p> <p>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. For more information about services for young people, please visit our local authority website at Young people – Education and Families (devon.gov.uk).</p>
<p>Ofsted</p>	<p>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 data subjects. Any identifiable personal information the inspector may see, will not be taken away or used in their reports.</p>
<p>Law enforcement</p>	<p>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.</p>
<p>Research programmes</p>	<p>We may be invited from time to time to take part in important local or national research programmes 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 data or your child’s data being used in this way.</p>
<p>Service providers</p>	<p>We use companies that provide us with a service to help us run effectively. The services we often receive from a multitude of</p>

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	<p>companies include IT support, online document storage and collaboration platforms, payroll provision, professional advisors (e.g. human resources, legal advisors, insurers and auditors), online learning platforms, learning or teaching resources, communication services, training providers, parent communication providers, catering, transport and school transition. These are known as our 'data processors'.</p> <p>To receive these services, we sometimes need to share personal information or use their products to store school data. We have contracts in place with these data processors to ensure that any personal data shared is protected and handled in line with the UK GDPR.</p> <p>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. If we need to share personal data with these individuals or companies, we will usually seek your consent beforehand.</p> <p>The companies and individuals we work with may change on a regular basis. If you would like information about any specific companies or individuals we work alongside or receive services from, please contact us at reception@thedeafacademy.ac.uk</p>
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Our legal basis for collecting, using and sharing information

The main legal bases we rely on when we process 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 most of the processing we do involving personal data, particularly involving student 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 usually involves student, employee or governor data). This will include sharing data with the Department for Education (DfE), His Majesty's Revenue and Customs (HMRC) or HM Courts and Tribunal Service (e.g. following a court order).
It is necessary for the performance of a contract

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This is applicable when we enter into a contract with our employees, parents (for paid services) or with our service providers.

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The data subject has given their consent

Consent is not required for most of the processing we do, however, there are occasions when we do ask for consent. For example,

- To send direct marketing or fundraising information by email or text, where you would not have a reasonable expectation that your data would be used in this way or have previously objected to this.
- To take and use photographs, digital or video images and displaying, publishing or sharing these in a public arena (such as on social media, on the Academy website; in the Press; in the prospectus; newsletter etc), where you would not have a reasonable expectation that your images would be used in this way, or your rights override the legitimate interests of the Academy.
- To share personal data with third parties (e.g. professionals, agencies or organisations) where you have a genuine choice as to whether your data will be shared, for example when offering services which you do not have to accept or agree to receive.

Where we are processing your data with your consent, you have the right to withdraw that consent. To do this, please contact the school office at reception@thedeafacademy.ac.uk. We will let you know if there are any non-obvious consequences of you withdrawing consent.

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.

The processing is necessary for our legitimate interests as a school or the legitimate interests of a third party

This is applicable where the processing is not required by law but is of clear benefit to the school or the data subject; there is limited privacy impact on individuals and the individual reasonably expects us to use their data in this way. This legal basis is not relied upon where the school is processing the data to perform its official tasks.

When we process '**special category**' data, we must have another legal basis. Special category data is personal data which reveals:

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a person’s racial or ethnic origin, political opinion, religious or philosophical beliefs, trade union membership, 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 are as follows:

The data subject has given explicit consent
The processing is necessary for performing any right or obligation which is imposed on the school in relation to employment, social security and social protection law (e.g. safeguarding individuals at risk; protection against unlawful acts; prevention against fraud)
This is applicable where we are performing our duties under employment related laws e.g. health and safety, equality or tax or where we have taken action to safeguard individuals at risk.
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 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.

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This list is not exhaustive.

How we protect your information

We take our security responsibilities seriously 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 have strict visitor management security procedures in place
- 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. Our Data Protection Policy is available here [Data Protection Policy \(thedeafacademy.ac.uk\)](https://thedeafacademy.ac.uk/Data-Protection-Policy)
- 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.
- We use up to date virus and malware protection software; security patches are applied promptly, and we back up our data regularly.

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.

We follow the Information and Records Management Society (IRMS) Schools (academies) Toolkit guidance on the retention of records.

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Overseas transfers

We mainly store our data in the UK or the European Economic Area (EEA), however some of our service providers may store personal data outside these areas (usually in the USA). Where this is the case, we have UK International Data Transfer Agreements with these service providers which ensures they process our data securely and in line with our data protection laws.

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.
- Request access to your personal data.
- Rectify personal data held about you which is inaccurate or incomplete.
- Have your data erased in certain circumstances.
- Restrict the processing of your information in certain circumstances.
- Object to your information being used for public interest or direct marketing purposes.
- Ask that your personal data is transferred from one organisation to another or given to you, in certain circumstances.
- Object to your personal data being used for public interest or direct marketing purposes.
- Prevent important decisions being made about you by solely automated means (including profiling).
- Complain to the school about the handling of your personal data. If you remain dissatisfied with school's response, you have the right to escalate this to the Information Commissioner's Office.

To exercise these rights, please contact us by emailing 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

Feedback and complaints

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.

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To do this, please email the school at reception@thedeafacademy.ac.uk. If you would like to make a formal complaint, our complaints procedure is available here. [Complaints Procedure \(thedeafacademy.ac.uk\)](#)

Data Protection Officer

The school's Data Protection Officer is Firebird Data Protection Consultancy Limited, an external company who performs the role under a service contract. Our Data Protection Officer can be contacted through the school at reception@thedeafacademy.ac.uk or directly at DPO@firebirdltd.co.uk

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

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 26/09/2023.