



LINKS ACADEMY

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## **LINKS ACADEMY PRIVACY NOTICE**

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# PRIVACY NOTICE for Links Academy

## General Data Protection Regulations 2018

We, Links Academy (school), are a data controller for the purposes of the General Data Protection Regulations (GDPR).

### Why do we collect and use student information?

We collect and use student information under the GDPR because we are legally required to collect some information about students and staff and we need to process this information due to our legal obligation to provide an education to our students.

We may receive information about them from their previous school or college, local authority, the Department for Education (DfE) and the Learning Records Service. We hold this personal data to:

- support our students' learning
- monitor and report on student progress
- provide appropriate pastoral care
- assess the quality of our services
- keep our students and staff safe
- comply with the law regarding data sharing

### The categories of student information that we collect, hold and share include:

Personal details (such as name, Unique student number and address), national curriculum assessment results, attendance information (such as sessions attended, number of absences and absence reasons), any exclusion information, where they go after they leave us, personal characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility), any special educational needs they may have as well as relevant medical information. For students enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.

In addition, once our students reach the age of 13, the law requires us to pass on certain information about them to the provider of Youth Support Services and Connexions locally who have responsibilities in relation to the education or training of 13-19 year olds. We provide them with these students' names and addresses, dates of birth, name(s)/address(es) of their parent(s)/carer(s) and any other information relevant to their role. We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers in order to secure appropriate services for them.

A parent/carers can ask that no information apart from their child's name, address and date of birth be passed to the provider of Youth Support Services by informing the School Office. This right is transferred to the child once he/she reaches the age 16. For more information about services for young people, please go to our local authority website.

### Collecting student information

Whilst the majority of student information provided to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will be clear whether it is required or there is choice.

### **Storing data**

We hold student data for up to two years after students leave us unless we are required by law to hold it for a longer period (SEN information for example). A yearly sweep of the school network will be used to ensure that such data is protected and removed from general access where appropriate.

Data is backed up onsite daily. Data held in financial software (excludes student data) is held remotely in 'the cloud' with GDPR compliant companies.

*Please refer to the school eSafety and Data Protection Policy regarding the creation and use of images.*

### **Who do we share student information with?**

We will not give information to anyone without consent unless the law and our policies allow us to.

Where our school is involved in collaborative delivery with other schools/colleges and learning providers, student information may also be shared to aid the preparation of learning plans and the use of data to achieve the objectives identified above or with schools that the student attends after leaving us. We need to share information, on occasion with Virtual Schools, Education Psychologist and the Social Services Assessment Team and other health related assessments including disability allowance paperwork. We are required, by law, to share some information about you to the Department for Education (DfE). This information will, in turn, then be made available for the use by the Local Authority.

### **Why we share student information**

We are required to share information about our students with the (DfE) under regulation 4 and 5 of The Education (Information About Individual Students) (England) Regulations 2013.

### **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>.

### **Youth support services**

#### **What is different about 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 / guardian can request that **only** their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / student once he/she reaches the age 16.

If you need more information about how our local authority and/or DfE collect and use your information, please visit:

- our local authority at <http://www.hertsdirect.org/services/edlearn/privschr/> or
- the DfE website at <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

### **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.

We are required by law, to provide information about our students to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Students) (England) Regulations 2013.

To find out more about the student information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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

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

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether 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 data requested: and
- the arrangements in place to store and handle the data

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

For information about which organisations the department has provided student information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-student-database-requests-received>

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

### **Requesting access to your personal data**

Under data protection legislation, 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 the School Office and apply in writing.

You 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
- claim compensation for damages caused by a breach of the Data Protection regulations

### **Cookies**

Our website uses Cookies to track visits to our site but we do not use it to identify you or for marketing purposes. You do not have to use our website as the information can be provided to you by the school office at your request.

### **Concern**

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/>

### **Contact:**

If a student wishes to access their personal data, or parents wish to do so on their behalf, then please contact the relevant organisation:

- Links Academy, 1 Hixberry Lane, St Albans, Herts, AL4 0TZ
- LA's Data Protection Office: Information Governance Unit, Room C1, County Hall, Pegs Lane, Hertford, SG13 8DQ, email: [dataprotection@hertscc.gov.uk](mailto:dataprotection@hertscc.gov.uk)
- QCA's Data Protection Officer: 83 Piccadilly, London, W1J 8QA
- DfE's Data Protection Office Caxton House, Tothill St, London, SW1H 9NA
- Ofsted Data Protection Office: Alexandra House, 33 Kingsway, London, WC2B 6SE