SHEFFIELD UTC ACADEMY TRUST
MAKING THE FUTURE

PRIVACY NOTICE FOR STUDENTS

Status: Statutory

Member of Staff Responsible: CEO / Business & Operations Director

Related Policies:

- Data Protection & GDPR

Implementation date: September 2018

Reviewed date: September 2026

Next review date: September 2027

1. Introduction

You have a legal right to be informed about how our trust uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This notice explains how we collect, store and use personal data about **students at our UTCs**, like you.

Our trust, **The Sheffield UTC Academy Trust**, is the 'data controller' for the purposes of UK data protection law.

Our data protection officer is **EduDataPro** (see 'Contact us' below).

2. The personal data we hold

We hold some personal information about you to make sure we can help you learn and look after you at the UTC.

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 name
- Your contact details
- Your test results, details about your learning and what you have achieved at school
- Your attendance records
- Details of any behaviour issues or exclusions
- Photographs and CCTV images
- Information about how you use our information and communication systems, equipment and facilities (e.g. school computers)

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

- Information about your characteristics, like your ethnic background or any special educational needs
- Information about any medical conditions you have

We may also hold data about you that we have received from other organisations, including other schools and local authorities.

3. Why we use this data

We collect and use the data listed above to help run the school, including to:

a. Get in touch with you and your parents or carers when we need to
b. Check how you're doing in exams and work out whether you or your teachers need any extra help

c. Track how well the UTC as a whole is performing
d. Look after your wellbeing and keep you safe
e. To monitor your use of our information and communication systems to ensure compliance with our IT policies
f. To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
g. Answer your questions and complaints
h. Publish statistics, for example, about the number of pupils or learners in schools
i. Meet legal requirements placed upon us

We will only use your personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for any other reason and that reason is incompatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and explain the legal basis that allows us to do so. Please note that we may process your personal information without your knowledge or consent in compliance with the above rules where this is required or permitted by law.

3.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you messages by email or text promoting UTC events, campaigns, charitable causes or services that you might be interested in.

You can take back this consent or 'opt out' of receiving these emails and/or texts at any time by selecting the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

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

We don't currently put your personal information through any automated decision making or profiling process. This means we don't make decisions about you using only computers without any human involvement.

If this changes in the future, we will update this notice to explain the processing to you, including your right to object to it.

3.3 Use of your personal data for filtering and monitoring purposes

While you're in our UTC, we may monitor your use of our information and communication systems, equipment and facilities (e.g. UTC computers). We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies (e.g. child protection policy, IT acceptable use policy) and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network (s)
- Protect your welfare

4. Our lawful basis for using this data

We will only collect and use your information when the law allows us to. We need to establish a 'lawful basis' to do this.

Our lawful basis for processing you and your child's personal data for the purposes listed in section 3 above are as follows:

- **Legal obligation**: the processing is necessary for you to comply with the law (not including contractual obligations). We need to process data to meet our responsibilities as a school under UK law as set out here: https://www.gov.uk/government/collections/statutory-guidance-schools. An example of this is 'safeguarding children and young people'
- **Public task**: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law. Managing a UTC is considered a '**task in the public interest**'. Further details are available here: https://www.gov.uk/government/collections/statutory-guidance-schools

Less commonly, we may also use personal information about you where:

- We ask for your **Consent**: the individual has given clear consent for you to process their (or their child's) personal data for a specific purpose. An example of this may be certain uses of photographs of your child.
- 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 data needs to be processed for **health or social care purposes**, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.
- The data needs to be shared with another data controller under a '**recognised legitimate interest**' either to allow them to fulfil their '**public task**' obligations or using a 'condition' such as '**safeguarding a vulnerable individual**', '**crime**', '**emergency**', or '**national security**'.

Where you've provided us with **consent** to use your information, you may take back this consent at any time. We'll make this clear when requesting your consent, and explain how you'd go about withdrawing consent if you want to.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the UTC's use of your data.

4.1 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 UK data protection law:

- We have obtained your explicit consent to use your information in a certain way
- We need to use your information under employment, social security or social protection law
- 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

- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation
- 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, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific 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 data concerned has already been made obviously public by you
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

5. Collecting this data

We will only collect and use personal information when the law allows us to as detailed above in section 4 of this notice. While most of the information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we want to collect information from you, we make it clear if you have to give us this information (and if so, what the possible consequences are of not doing that), or if you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local councils
- Government departments or agencies
- Health Authorities and healthcare professionals such as your doctor
- Police forces, courts, tribunals
- Use of the school network and equipment via our appropriate filtering and monitoring systems in line with DfE guidance and KCSIE20265
- Other schools or trusts
- The Department for Education (DfE)

6. How we store this data

We keep personal information about you while you're attending our UTC. We may also keep it beyond your attendance at our UTC if this is necessary to comply with our legal obligations or to meet our regulatory requirements. Our record retention schedule sets out how long we keep information about students.

If you wish to see a copy of the UTCs retention policy please ask at the main office.

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We'll dispose of your personal data securely when we no longer have a legal requirement to retain it.

7. Who we share data with

We routinely share your information with:

- Your family or representatives
- Schools or colleges that you attend after leaving us
- Our local authorities, Sheffield City Council or Derby City Council or the local authority where you live (if this is different)– to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- The Department of Education for statutory data collections such as the school census

We don't share information about you with any third party without your consent unless the law and our policies allow us to do so.

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

- *The Education and Skills Funding Agency*
- *Your family and representatives*
- *Educators and examining bodies*
- *Our regulator (the organisation or "watchdog" that supervises us) for example Ofsted or the Regional Schools Commissioner*
- *Suppliers and service providers – so that they can provide the services we have contracted them for*
- *Financial organisations*
- *Central and local government*
- *Our auditors*
- *Survey and research organisations*
- *Health authorities*
- *Security organisations*
- *Health and social welfare organisations*
- *Professional advisers and consultants*
- *Charities and voluntary organisations*
- *Police forces, courts, tribunals*
- *Professional bodies*

7.1 Sharing data with the Department for Education (DfE)

We have to share information about you with the Department for Education either directly or via our local authority, via various statutory data collections.

The data shared will be in line with the following legislation:

- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

The data is transferred securely and held by the Department for Education under a combination of software and hardware controls which meet the current government security policy framework.

The data we share about you with the Department for Education is used for a number of different purposes, including to:

- Help decide the amount of money that our school receives
- Monitor how well the education system is working and how well our school is doing in terms of educating our pupils
- Support research

The information shared with the Department for Education about you could include:

- Your name and address
- Your unique pupil number
- Pupil matching reference numbers
- Details of your gender or ethnicity
- Details of any special educational needs (SEN)
- Details of schools attended
- Absence and exclusion information
- Information relating to exam results
- Information relating to any contact with children's services
- What you have done since finishing school

Please note: this list is not exhaustive.

National Student 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 Student 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.

You can also contact the Department for Education if you have any questions about the database.

The Learning Records Service (LRS) and Personal Learning Record (PLR)

Some of the data shared with the Department for Education is held in the Learning Records Service (LRS) and also forms your Personal Learning Record (PLR). You can request a copy of your PLR using this link https://www.gov.uk/guidance/how-to-access-your-personal-learning-record

For a copy of other information held by the DfE you can make a Subject Access Request using the DfE Contact Form.

The Department for Education provide a privacy notice for the Learning Records Service here https://www.gov.uk/government/publications/lrs-privacy-notices/lrs-privacy-notice

7.2 Transferring data internationally

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

8. Your rights

8.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

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 it and how we are using it, and how long we will keep it for
- Explain where we got it from, if not from you
- 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 (decisions made by a computer or machine, rather than by a person), and any consequences of this
- Give you a copy of the information in an understandable form

You may also have the right for your personal information to be shared with another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

You also have the right to request a copy of the data held by the **Department of Education** within the **Learning Record Service** and your **Personal Learning Record**. Please use the links below for more information about this:

- https://www.gov.uk/government/publications/lrs-privacy-notices/lrs-privacy-notice
- https://www.gov.uk/guidance/how-to-access-your-personal-learning-record

8.2 Your other rights regarding your data

Under UK data protection law, you have certain rights regarding how your personal information is used and kept safe. For example, you have the right to:

- Say that you don't want your personal information to be used
- Object to the processing of personal data that is likely to cause, or is causing, damage or distress
- 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 some cases, have it corrected if it's inaccurate
- In some cases, have it deleted or destroyed, or restrict its use
- Withdraw your consent, where you previously provided consent for your personal information to be collected, processed and transferred for a particular reason
- In some cases, be notified of a data breach
- Make a complaint to the Information Commissioner's Office (ICO) if you feel we have not used your information in the right way
- Claim compensation if the data protection rules are broken and this harms you in some way

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.

To exercise any of these rights, please contact us (see 'Contact us' below).

9. Complaints

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

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concerns about our data processing, raise this with us in the first instance. You can make a complaint to us at any time by contacting us

When a data protection complaint is lodged with us we will:

- Acknowledge the complaint within 30 days
- Take appropriate steps to investigate the complaint
- Inform the complainant of the outcome of the complaint without undue delay

If you have complaints about the way that your personal data is processed, you must follow the Complaints Procedure. If you are not satisfied with the outcome, you can complain to the Information Commissioner;

- 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

10. Contact us

Our data protection officer is:

- **EduDataPro**. dpo@edudatapro.com

However, our **data protection lead** has day-to-day responsibility for data protection issues in our UTC.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them:

- The Trust Business & Operations Director