

## Privacy notice for students

You have a legal right to be informed about how your education centre (Livability Victoria Education Centre or Livability Nash College) uses any personal information that we hold about you.

To comply with this, we provide this 'privacy notice' to you where we are processing your personal data. This notice explains how we collect, store and use personal data about you.

We, Livability are called the 'data controller' for the purposes of data protection law. If you have any questions you can contact the designated member of staff at your education centre who is your Head. If you need to you can contact Livability's data protection officer by email at [DataProtection@livability.org.uk](mailto:DataProtection@livability.org.uk)

### **Student information that we collect, hold and share**

- We hold some personal information about you to make sure we can help you learn and look after you at your education centre.
- For the same reasons, we get information about you from some other places too, like other education centres (schools or colleges), the local council and the government. This information includes:
- Your personal information (such as your name, unique student number, contact details and address)
- Your characteristics (like your ethnicity, language, nationality, country of birth, and any free school meal eligibility)
- Safeguarding information (including detail of disclosures, outcomes of meetings, various plans and sensitive information regarding court proceedings, child protection plans and correspondence with outside agencies)
- Special educational needs you have (including specific needs, Education, Health and Care Plans, and Annual Reviews)
- Details of any support received, including care packages, plans and support providers

- Any medical conditions you have (including physical and mental health, doctors information, dental health, allergies, medication and dietary requirements)
- Your test or examination results and your progress reports
- Your attendance information (sessions attended, absences and absence reasons)
- Details of any behavioural issues or exclusions
- Photographs
- CCTV images.

We may also hold data about students we have received from other organisations, including other schools, colleges, local authorities and the Department for Education.

This list is not exhaustive, to access the current list of categories of information we process please see the education centre website.

### **Why we collect and use this information**

We use this student data to help us run the education centre, including to:

- Support your learning
- Support any special educational needs including health needs
- Look after your wellbeing and to provide appropriate care
- Keep students safe (food allergies, or emergency contact details)
- Get in touch with you and your parents/carers when we need to
- Check how you're doing in any exams or tests
- Work out whether you or your teachers or lecturers need any extra help
- Track how well the education centre as a whole is performing
- Comply with the law regarding data sharing.

### **The lawful basis on which we use this information**

We collect and use student information under Article 6 and Article 9 of the General Data Protection Regulation 2018 (GDPR). We will only collect and use your information when the law allows us to. Most often, we will use your information where we need to:

- Comply with the law
- Carry out a task in the public interest (in order to provide you with an education)
- Provide the Government with information, for example, for data collection purposes <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Sometimes, we may also use your personal information where:

- You, or your parents/carers have given us permission to use it in a certain way.
- We need to protect your interests (or someone else's interest).

Where we have got permission to use your data, you or your parents/carers may withdraw this at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent. Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

## **Collecting this information**

While in most cases you, or your parents/carers, must provide the personal information we need to collect, there are some occasions when you can choose whether or not to provide the data. We will always tell you if it's optional. If you must provide the data, we will explain what might happen if you don't.

## **Storing student data**

We hold personal information securely about you while you are a student with us. We may also keep it after you leave, where we are required to by law. We have a record retention policy which sets out how long we must keep information.

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

We do not share personal information about you with anyone outside of the education centre without permission from you or your parents/carers, unless the law and our policies allow us to do so. Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

- The NHS, hospitals, health authorities and Clinical Commissioning Groups
- Therapists, community nurses and respite provisions

- Social services and social welfare organisations
- Our local authority – to meet our legal duties to share certain information with it, such as concerns about students’ safety and exclusions
- The Department for Education (DFE)
- Your family and representatives
- Schools or Colleges you may be transferring to or from
- Educators and examining bodies
- Ofsted
- Suppliers and service providers – who provide services we have contracted them for
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, security organisations, courts, and tribunals
- Professional bodies.

## **Why we share student information**

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 Department for Education on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

## **Data collection requirements**

We are required to provide information about our students to the Department for Education (e.g. as part of data collected for DFE census under Section 537A of the Education Act 1996). Some of this information is then stored in the National Pupil Database (NPD) which is managed by the DFE and provides evidence on how schools are performing. This, in turn, supports research. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013. To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

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 which 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:

<https://www.gov.uk/guidance/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-pupil-database-requests-received>.

You can also contact the Department for Education if you have any questions about the database at <https://www.gov.uk/contact-dfe>.

### **Youth support services (this applies to students aged 13 or above)**

For students aged 13 or above, 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:

- Post-16 education and training providers
- Youth support services
- Careers advisers.

A parent or 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. For more information about services for young people, please visit our local authority website. A link to this can be found on your education centre website.

## 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.

You can find out if we hold any personal information about you, and how we use it, by making a '**subject access request**', as long as we judge that you can properly understand your rights and what they mean.

### If we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you or your parents
- Tell you who it has been, or will be, shared with
- Let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person)
- Give you a copy of the information.

You may also ask us to send your personal information to another organisation electronically in certain circumstances.

You have other rights over how your personal data is used and kept safe.

This includes the right to:

- Say that you don't want it to be used if this would cause, or is causing, harm or distress
- Stop it being used to send you marketing materials
- Say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it
- Claim compensation if data protection rules are broken and this causes you harm.

## **How to access your personal information**

Should you wish to exercise these rights, we promise to respond. There will be no charge for this action.

To make a request for your personal information, or be given access to your educational record, you can contact the designated member of staff at your education centre who is your Head.

Or you can contact Livability's Data Protection Officer, and we will respond within 30 days, of receipt of your written or verbal request and confirmed ID. The email address for the Data Protection Officer is:

**[DataProtection@livability.org.uk](mailto:DataProtection@livability.org.uk)**

## **Your ability to edit and/or delete your account information and preferences**

The accuracy of your personal information is important to us. You can edit your Livability account information, including your address and contact details and change any of your contact preferences at any time (including telling us that you don't want us to contact you for marketing purposes by telephone or by post) via our web site **[www.livability.org.uk/changepreferences/](http://www.livability.org.uk/changepreferences/)** or via our Supporter Services team (020 7452 2121).

Please provide as much information as possible about the nature of your contact with us to help us locate your records.

## **Contact, concerns or complaints**

If you have a concern or would like to discuss anything in this privacy notice, please contact the designated member of staff at your education centre who is your Head.

If you need to you can contact Livability's data protection officer by email at **[DataProtection@livability.org.uk](mailto:DataProtection@livability.org.uk)**.

Alternatively, you can contact the Information Commissioner's Office at **<https://ico.org.uk/concerns/>**

To read Livability's full Privacy Statement visit: **<http://www.livability.org.uk/privacy>**