

For parents and carers¹

Use of your child's personal data

Under data protection law, individuals have a right to be informed about how Livability's education centres (Victoria Education Centre and Nash College) use any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about students.

We, Livability are called the 'data controller' for the purposes of data protection law. In the first instance if you have any questions you can contact the designated member of staff at your child's education centre who is the Head. If you need to you can contact Livability's data protection officer by email at DataProtection@livability.org.uk

¹ This notice is based on the Department for Education's model privacy notice for parents and carers, amended to reflect the way we use data in our education centres.
<https://www.gov.uk/government/publications/data-protection-and-privacy-privacy-notices>
This is a live document based on current DFE guidance which will be reviewed regularly as required.

Student information that we collect, hold and share includes:

Personal data that we may collect, use, store and share (when appropriate) about students includes, but is not restricted to:

- Personal information (such as name, unique student number, contact details and address)
- Personal characteristics (like 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 (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 (including physical and mental health, doctors information, dental health, allergies, medication and dietary requirements)
- Test or examination results and progress reports
- 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 data to:

- Support student learning
- Support any special educational needs including health needs
- Look after student wellbeing and to provide appropriate care
- Keep students safe (food allergies, or emergency contact details)
- Get in touch with parents and carers when we need to
- Monitor and report on student progress and test/exam results
- Assess the quality of our services
- Carry out research
- Meet the statutory duties placed upon us.

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 students' personal data when the law allows us to. Most often, we will process it 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>.

Less commonly, we may also process students' personal information where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interest).

Where we have obtained consent to use students' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how it can be withdrawn.

Some of the reasons listed above for collecting and using students' personal data overlap, and there may be several grounds which justify our use of this data.

Collecting this information

While the majority of information we collect about students is mandatory, there is some information that can be provided voluntarily. Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

Storing student data

We hold personal information securely about students while they are attending our education centres. We may also keep it beyond their attendance at our education centres if this is necessary in order to comply with our legal obligations. 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 information about students with any third party without consent 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 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)
- The student's 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
- Security organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, 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 the 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.

Parents and pupils' rights regarding personal data

Individuals have a right to make a **'subject access request'** to gain access to personal information that the education centre holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data, or where the child has provided consent. To make a request, or be given access to your child's educational record, you should contact the designated member of staff at the education centre.

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 child
- 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 in an intelligible form.

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

Other rights over how students' personal data is used and kept safe

This includes the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of data protection regulations.

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

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/** 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**.

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>**