



Ark Elvin
Academy



Ark Elvin Academy & Ark Schools Privacy Notice for Pupils aged 12 & under (also provided to parents/carers)

Note to parents/carers: *This privacy notice explains how we collect, store and use personal data about your child.*

This letter explains how we use information about you and what we do with it.

We call this information your ‘personal data’ or ‘personal information.’

Under the law, people have a right to be informed about how school uses any information we collect about them. This ‘privacy notice’ (sometimes called a ‘fair processing notice’) tells you how we use your personal data.

If you find this letter difficult to understand, you can ask your parents or another adult such as your teacher to help you understand it.

Who we are

Your school is called Ark Elvin Academy and it is part of the Academy Trust called Ark Schools. Ark Schools is the organisation which is in charge of your personal information. This means that Ark Schools is called the ‘Data Controller’. The postal address for Ark Schools is The Yellow Building, 1 Nicholas Road, London, W11 4AN

If you want to contact us about your personal information you can contact our school data protection lead, who is Mrs J Lee. You can speak to her in school or email: j.lee@arkelvinacademy.org

How we use pupil information

We, Ark Elvin Academy and Ark Schools, collect and hold personal information relating to our pupils. We may also receive information about you from your previous school, local authority and/ or the Department for Education (DfE). We use this personal data to:

- support your learning
- monitor and report on your progress
- provide appropriate care for you
- assess the quality of our services
- comply with the law about sharing personal data

This information will include your:

- contact details
- national curriculum assessment results

- attendance information
- any exclusion information
- where you go after you leave us
- personal characteristics such as your ethnic group
- any special educational needs you may have
- relevant medical information.

We may also use photographs/videos of you when we have consent from your parents to do so.

The use of your information is lawful (see Note 1) and so we do not usually need your consent to use this information. Sometimes we may want to use your data differently, and in these cases we would need to gain your consent (permission). We will ask you parent or carer for consent and you can change your mind at any time.

When we collect personal information on our forms, we will make it clear whether there is a legal requirement for you/your parents/carers to provide this information. We will also make it clear whether there is a legal requirement on the school / academy trust to collect the information. If there is no legal requirement, then we will explain why we need it and what the consequences are if the information is not provided.

When we give your information to others

We will not give information about you to anyone without your consent unless the law and our policies allow us to do so. If you want to receive a copy of the information about you that we hold, please contact: Mrs J Lee email: j.lee@arkelvinacademy.org

Government

We are required, by law (under regulation 5 of the Education (Information about Individual Pupils) (England) Regulations 2013), to pass some information about you to the Department for Education (DfE). This is the part of the Government which is responsible for schools. This personal information may, in turn, then be made available for use by the Local Authority. The DfE may also share this information that we give to them with other people or organisations. This will only take place where the law, including the law about data protection, allows it. (see Appendix 1 for more information on the National Pupil Database).

Parents and carers

We will also normally give information about you to your parents or your main carer. Where appropriate, we will listen to your views first. We will also take family circumstances into account, in particular where a Court has decided what information a parent/carers is allowed to have.

External organisations

We will also disclose your personal data to:

- Your new school if you move schools
- Disclosures connected with SEN support
- School nurse/ counsellor and CAMHS (Child and Adolescent Mental Health Service)
- Educators, examining bodies and our regulator Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Central and local government
- Survey, research and security organisations
- Health authorities, health and social welfare organisations
- Financial organisations, professional advisers and consultants including our auditors
- Charities, voluntary organisations and professional bodies
- Police forces, courts, tribunals

Transfer outside of the European Economic Area (EEA)

We do not normally transfer your information to a different country outside the EEA. However, some of our external third party support partners are based outside the EEA so their processing of your Personal Data will involve a transfer of data outside the EEA. Whenever we transfer your Personal Data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented, including:

- *We will only transfer your Personal Data to countries that have been deemed to provide an adequate level of protection for Personal Data by the European Commission;*
- *Where we use certain service providers, we may use specific contracts approved by the European Commission which give Personal Data the same protection it has in Europe;*
- *Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to Personal Data shared between the Europe and the US”.*

Sensitive personal information

The information disclosed to these people/services will include ‘sensitive personal information’ about you. Usually this means information about your health and any special educational needs or disabilities which you may have.

- Biometric information (from the scan of your fingerprint) for the sole purpose of identifying if you have received your school lunch.

We share this with other people/services because they need your personal information so that they can support you. Seek further advice if there is a concern over lawfulness. Our disclosure of your personal data is lawful (see Note 2) and it is in your vital interest for your personal information to be passed to these people or services.

We will ask you for consent once we think that you can understand what we are asking. This is because the law requires us to ask you if you can understand. Normally, we involve your parents/carers too. Before you are old enough to understand, we will ask your parents/carers to consent for you.

How long we keep your information

We only keep your information for as long as we need to, or for as long as the law requires us to. Most of the information we have about you will be in our pupil file. We usually keep these until your 25th birthday unless you move to another school, in which case we send your file to your new school. We have a policy which explains how long we keep information. It is called a Data Retention Schedule and you can ask for a copy at reception or policy can be found at <https://tinyurl.com/AEAdataretention>.

Your rights and your parents’/carers’ rights

You have the right to do the following:

- You can ask us for a copy of the information we have about you. This is called a ‘subject access request.’
- You can ask us to correct any information we have about you if you think it is wrong.
- You can ask us to erase information about you (although we may have good reasons why we cannot do this).
- You can ask us to limit what we are doing with your information.
- You can object to what we are doing with your information.
- You can ask us to transfer your information to another organisation in a format that makes it easy for them to use.

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 (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing 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 whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

There is more information in our Data Protection Policy. The policy can be found at <https://tinyurl.com/AEADPP> or you can ask for a copy at reception.

If you want to contact us about your personal information you can contact our school's data protection lead, who is Mrs J Lee email: j.lee@arkelvinacademy.org

You can issue a complaint about what we do with your personal information. If you are not happy with our answer to your complaint, then you can complain to the Information Commissioner's Office: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

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Note 1: Lawful basis for holding and processing personal data

The use of your information for these purposes is lawful for the following reasons:

- The law requires Ark Schools to collect the information.
- We need the information to meet the legal requirements of safeguarding pupils.
- To fulfil our functions in providing schooling and so we can look after our pupils. This is in the public interest, because everybody is entitled to an education. This means we have real and proper reasons to use your information.

Note 2: Lawful basis for holding and processing sensitive personal data

- Ark Schools is under a legal obligation to disclose the information. Disclosing the information is necessary for us to meet our legal requirements as part of our duty to look after our pupils and protect them from harm.
- To fulfil of our functions in providing schooling. This is a function which is in the public interest.
- We have a legitimate interest in disclosing your information because it is necessary in order to provide our pupils with education and pastoral care and connected purposes as outlined above.
- We will not usually need consent to disclose your information. However, if at any time it appears to us that we would need consent then we will ask for it before we make a disclosure.