



## Privacy Notice for Students

**Last approved: October 2024**

**Approved by: Quality Committee (Chairs Action)**

**Next review due: October 2026**

## **This Privacy notice is for students and guardians.**

The Data Protection Act 2018 provides individuals with a right to be informed about how the college uses any personal data that we hold about them. We comply with this right by providing this 'privacy notice.' It explains how we collect, store and use personal data about students.

We, BN1 Arts, are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Felice Ayling

Email: feliceayling@bn1arts.co.uk

### **The personal data we hold:**

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

- Name
- Contact details,
- Contact preferences,
- Date of birth,
- Identification documents
- Parental, sibling and extended family details
- Children who are adopted from care, looked after children, under special guardianship
- Characteristics, such as ethnic background, language, eligibility for free college meals, Student Premium or special educational needs
- Details of any medical conditions, including physical and mental health
- Details of any support received, including care packages, plans and support providers
- Attendance information
- Safeguarding information
- Results of internal assessments and externally set tests

- Student and curricular records
- Photographs of the student
- Carefully chosen and vetted educational apps
- CCTV images
- Exclusion information

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

### **Why we use this data:**

We use this data to:

- Support student learning
- Monitor and report on student progress
- Provide appropriate educational care
- Protect student welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing.

In order to meet statutory requirements around appropriate education provision and to fulfill safeguarding requirements, we share information about college history and the latest known student and parent address and contact details in the event of a Child Missing Education, or becoming Electively Home Educated. This information also supports the in-year admissions process.

### **Our legal basis for using this data:**

We only collect and use students' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest
- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)
- 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 consent 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.

### **How we store this data:**

Students' records are stored securely in paper files and on the college's secure server. We keep personal information about students while they are attending our college. We may also keep it beyond their attendance at our college if this is necessary in order to comply with our legal obligations.

### **Data sharing:**

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 (and it complies with the Data Protection Act 2018), **we may share personal information about students with:**

- Our local authority (e.g. admissions)
- Funding Partners (e.g student data)
- The Department for Education (e.g. attainment)
- The student's family and representatives(e.g. attendance)
- Educators and examining bodies ( e.g. assessments)

- Our regulators Ofsted, DFE and the ESFA (e.g. student data)
- Suppliers and service providers (e.g. sports coaches)
- Central and local government (e.g. attainment)
- Health authorities (e.g. immunisations)
- Health and social welfare organisations (e.g. social services)
- Professional advisers, bodies and consultants (e.g. Educational psychologist)
- Police forces, courts, tribunals (in relation to safeguarding)
- Collaborating colleges for moderating purposes

### **National Student Database:**

We are required to provide information about students to the Department for Education as part of statutory data collections such as the college census (ILR). Some of this information is then stored in the National Student Database (NPD), which is owned and managed by the Department and provides evidence on college performance to inform research. The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including colleges, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data. For more information, see the Department's webpage on how it collects and shares research data. You can also contact the Department for Education with any further questions about the NPD.

### **Transferring data internationally:**

When we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

### **Parents and students' rights regarding personal data:**

Individuals have a right to make a 'subject access request' to gain access to personal information that the college holds about them. Parents/carers can make a request with respect to their child's data where the child is under the age of 13, or where the young person has been deemed not to have mental capacity and the parents have been given authority to act on their behalf. Parents also have the right to

make a subject access request with respect to any personal data the college holds about them.

**Your other rights regarding your data under data protection law:**

Individuals have certain rights regarding how their personal data is used and kept safe, including 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 the data protection regulations

To exercise any of these rights, please contact our Data Protection Lead, Felice Ayling

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 concern about our data processing, please raise this with the college in the first instance. To make a complaint, please contact our Data Protection lead Felice Ayling.

Alternatively, you can make a complaint to the Information Commissioner's Office:

Report a concern online at <https://ico.org.uk/concerns/> Call 0303 123 1113 Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

This notice is based on the Department for Education's model privacy notice, amended to reflect the way we use data in this college