



For Information – No response required

Ark Charter Academy & Ark Schools Privacy Notice for Pupils in Years 9, 10 and 11 (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 about you ‘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

You already know that your school is called Ark Charter Academy and that 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 Ark Charter Academy Data Protection Lead, Mrs. Norton. You can speak to her in school or you can leave a letter at reception or send one by post. You can also email Ark’s Data Protection Officer using the email address data.protection@arkonline.org.

The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)

- assessment and attainment (such as previous results and grades, attitude to learning marks)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Information about free school meal and pupil premium eligibility
- Information for catering management purposes (e.g whether you have school dinners)
- Biometric recognition systems such as cashless catering (there is a separate privacy notice about this)
- Information for school trips and off site activities
- Photographs, video and CCTV images of you (see Notes 1 and 2).

Why we collect and use pupil information

We, Ark Charter 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
- to keep children safe (food allergies, or emergency contact details)
- comply with the statutory duties placed on us by DfE data collections

For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.

We may also use photographs/videos of you when we have consent from you to do so (though there may be occasions when use of this information is lawful and we do not need your consent (see Note 2)).

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). If you give your permission, you may change your mind at any time.

How we collect pupil information

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. We will also obtain information from your previous school, usually via secure file transfer from your previous school.

When we give your information to others

We will not give information about our pupils 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. Norton, Data Protection Lead at Ark Charter Academy.

Government

We are required, by law (under regulation 5 of the Education (Information about Individual Pupils) (England) Regulations 2013), to pass some information about our pupils 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.

Local services

Once you reach the age of 13, the law requires us to pass on certain information to Portsmouth City Council and Education Business Partnership (EBP), who have responsibilities regarding the education or training of 13-19 year olds. We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers, in order to secure appropriate services for them. A parent/carer can request that **only** their child's name, address and date of birth be passed to Portsmouth City Council by informing Mrs Norton, Charter Data Protection Lead. If you are 16 or over, this right is transferred to you.

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/carer 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 – e.g. non-Local Authority specialists
- 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

We may not need consent to disclose your information. However, if at any time it appears to us that we would need consent then we will ask before a disclosure is made.

Transfer outside of the European Economic Area (EEA)

We do not normally transfer your information to a different country outside the European Economic Area. This would only happen if one of your parents/carers lives abroad or if you move to a new school abroad. If this happens we will be very careful to make sure that it is safe to transfer your information. We will look at whether the other country has good data protection laws. If we cannot be sure that it is safe, then we will talk to you and your parents/carers about it and make sure that you are happy for us to send your information.

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.

It also includes biometric information. Biometric information is information about a person's physical or behavioural characteristics that can be used to identify them, for example, information from an individual's fingerprint/iris/palm. We would like to process information

from your fingerprint/thumbprint and use this information for the purpose of providing you with a secure means of obtaining schools meals and for accessing school printing services. 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.

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.

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 parent/carer
- 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 or you can ask Mrs. Norton, Ark Charter Academy Data Protection Lead. The policy can be found on our website or you can ask for a copy at reception.

If you want to contact us about your personal information you can contact Mrs. Norton, Ark Charter Academy Data Protection Lead.

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.

Note 1: Legal 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: legal 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.