

LONDON DESIGN & ENGINEERING UTC

Privacy Notice for Learners

London Design & Engineering UTC is committed to protecting the privacy and security of personal information. This privacy notice describes how we collect and use personal information about pupils, in accordance with the UK General Data Protection Regulation (UK GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and is known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relates to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

Who collects this information?

London Design & Engineering UTC is a “data controller.” This means that we are responsible for deciding how we hold and use personal information about you.

We are required under data protection legislation to notify you of the information contained in this privacy notice. This notice does not form part of any contract to provide services and we may update this notice at any time.

It is important that you read this notice, together with any other policies mentioned within this privacy notice. This will assist you with understanding how we process your information and the procedures we take to protect your personal data.

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy

The categories of learner information that we collect, hold and share include:

- Personal information (such as name, date of birth, address, parents’ details and contact information)
- Characteristics (such as gender, ethnicity, language, nationality, country of birth, free school meals eligibility, religion and any other protected characteristic in order to comply with Equality Act 2010)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Any relevant medical information, special educational needs information, exclusion or behavioural information.

- Assessment information (such as previous key stage attainment data, test data, internal assessment data, attitude to learning data and external examination results)

Why we collect and use this information

The London Design & Engineering (LDE) UTC uses the learner data:

- to support learners learning
- to monitor and report on the progress being made by learners
- to provide appropriate pastoral care
- to assess the quality of its services
- to comply with the law regarding data sharing
- to protect and safeguard learners
- to develop an alumni association / network

The lawful basis on which we use this information

The LDE UTC will collect and use learner information under Articles 6 and 9 of the UK General Data Protection Regulation (UK GDPR), which come into force on 25 May 2018 – i.e. under:

- **Consent:** the individual has given clear consent for the LDE UTC to process their personal data for a specific purpose.
- **Legal obligation:** the processing is necessary for the LDE UTC to comply with the law, particularly with regards to safeguarding learners and complying with health and safety requirements.
- **Public task:** the processing is necessary for the LDE UTC to be able to provide appropriate information to both the DfE and ESFA and DfE to comply with requirements (such as the Annual Pupil Census) to be able to continue to operate and receive public funds as a state-funded school. Details of DfE Data Collections can be found at: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

How we use particularly sensitive information?

Sensitive personal information (as defined under the UK GDPR as “special category data”) requires higher levels of protection and further justification for collecting, storing, and using this type of personal information. We may process this data in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where we need to carry out our legal obligations in line with our data protection policy;
- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our pension scheme);
- Where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent.

Collecting learner information

Whilst the majority of information provided by learners to the LDE UTC is mandatory, some of it is provided on a voluntary basis. In order to comply with the General Data Protection Regulation, the LDE UTC will inform learners whether they are required to provide certain information or if they have a choice or not.

Storing learner data

LDE UTC will hold learner data for seven years after which it will be destroyed and or deleted safely and confidentially.

Who we share learner information with

The LDE UTC will routinely share learner information with:

- the Department for Education (DfE)
- the Education and Skills Funding Agency (ESFA)
- Newham Local Authority
- its employer sponsors and partners

Why we share learner information

The LDE UTC will not share information about its learners with anyone without consent unless the law and its policies allow it to do so.

The LDE UTC will share learners' data with the Department for Education (DfE) and ESFA on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

The LDE UTC is required to share information about its learners with the (DfE) under Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Data collection requirements:

To find out more about the data collection requirements placed on the LDE UTC by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Youth support services

Learners Aged 13+

For learners aged 13 and above, the LDE UTC also pass learner information to its 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:

- youth support services
- careers advisers

A parent or guardian can request that **only** their child's name, address and date of birth is passed over to the local authority or provider of youth support services by informing the UTC in writing or via e-mail. This right is transferred to the learner once they reach the age of 16.

Learners Aged 16+

The LDE UTC will also share certain information about learners aged 16+ with its 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

For more information about services for young people, please visit the local authority's website.

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies

commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The LDE UTC is required by law, to provide information about its learners to the DfE as part of statutory data collections such as the school census. Some of this information is then stored in the NPD. 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 Department may share information about LDE UTC's learners from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of the UTC's data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and are based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to learner information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the Department's data-sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the Department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

Requesting access to your personal data

Under data protection legislation, learners have the right to request access to information about them that the LDE UTC holds. To make a request for your personal information, or be given access to your record, please contact:

- **Ghulam Abbas**
- **E-mail:** Ghulam.Abbas@ldeutc.co.uk
- **Tel:** 020 3019 7333

You also have the right to:

- object to the processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

If you would like to discuss anything in this privacy notice, please contact:

- **Ghulam Abbas**
- **E-mail:** Ghulam.Abbas@ldeutc.co.uk
- **Tel:** 020 3019 7333

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information, then you can contact the DPO on the details below: -

Data Protection Officer: Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

Email: dataservices@judicium.com

Web: www.judiciumeducation.co.uk

Lead Contact: Craig Stilwell