



PRIVACY NOTICE: HOW WE USE STUDENT INFORMATION

September 2024

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The categories of student information that we process include:

- personal identifiers and contacts (such as name, unique student number from

- commissioning school, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- emergency contact and family lifestyle information (such as names, relationship, phone numbers and email addresses)
- 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 phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- images of students engaging in TKW activities
- information about the use of our IT, communications and other systems, and other monitoring information.

How we use student information

We collect and use student information, for:

- Student selection (and to confirm the identity of prospective students and their parents/guardians).
- Support student teaching and learning
- Safeguarding students' welfare and providing appropriate pastoral (and where necessary medical) care.
- Monitoring and reporting on student attainment progress
- Giving and receiving information and references about past, current and prospective students, and to provide references to potential employers of past students.
- To provide support to past students
- Managing internal policy and procedure.
- Enabling students to take part in assessments, to publish the results of examinations and to record student achievements.
- To carry out statistical analysis for diversity purposes.
- Legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care.
- Enabling relevant authorities to monitor the TKW performance and to intervene or assist with incidents as appropriate.
- Monitoring use of the IT and communications systems in accordance with Online, Email and Social Media Safety Policy.
- Making use of photographic images of students in publications, on the charity website and on social media channels.
- Security purposes; and
- Where otherwise reasonably necessary for TKW's purposes, including to obtain appropriate professional advice and insurance for TKW.

Lawful Bases

Under the [UK General Data Protection Regulation \(UK GDPR\)](#), the lawful bases we rely on for processing student information are:

- Consent:

- the individual has given their express agreement to the processing of their Personal Information for one or more specific purposes
- parental consent will be obtained for any child aged under 13 years old or for children aged over 13 who are not considered capable of giving consent themselves;
- Contractual:
 - the processing is necessary for the performance of a contract to which the individual is party or in order to take steps at the request of the individual prior to entering into a contract;
- Legal Obligation:
 - the processing is necessary for compliance with a legal obligation to which ELKOLET is subject;
- Vital Interests:
 - the processing is necessary for the protection of the vital interests of the individual or another natural person; or
- Public Interest:
 - the processing is necessary for the performance of a task carried out in the public interest or exercise of official authority; or
- Legitimate Interests:
 - the processing is necessary for the purposes of legitimate interests of ELKOLET or a third party, except where those interests are overridden by the interests of fundamental rights and freedoms of the individual, in particular where the individual is a child.

We need all the categories of information in the list above primarily to allow us to comply with legal obligations. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

Collecting student information

Student data is essential for TKW's operational use. We collect student information via secure file transfer from your Commissioning School.

Whilst the majority of student information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain student information to us or if you have a choice in this.

Storing student data

We hold student data securely for the set amount of time shown in our record of processing activities. For more information on data retention and how we keep your data safe, please visit www.elkolet.com/policy-center

Who we share student information with

We routinely share student information with:

- Other Schools that students have attended/will attend/are attending
- NHS.
- Welfare services (such as social services).

- Law enforcement officials such as police, HMRC.
- Local Authority Designated Officer.
- Professional advisors such as lawyers and consultants.
- Support services (including insurance, IT support, information security).
- Providers of learning software
- The Local Authority.

Why we regularly 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.

Requesting access to your personal data

The UK-GDPR gives parents and students certain rights about how their information is collected and used. To make a request for your personal information, or be given access to your child's educational record, contact Julie Mathers or complete a Subject Access Request form located at www.elkolet.com/policy-center

You also have the following rights:

- a) **the right to be informed** about the data we hold on you and what we do with it
 - i) privacy notice for workers and students can be found at www.elkolet.com/policy-center;
- b) **the right of access** to the data we hold on you.
 - i) More information on this can be found in the section headed "Access to Data";
- c) **the right to rectification** for any inaccuracies in the data we hold on you, however they come to light, to be corrected;
- d) **the right to erasure** where you may request all Personal Information we have be deleted
 - i) we are required to comply with a request for erasure unless we have reasonable ground to refuse
- e) **the right to restrict the processing of the data;**
- f) **the right to portability**
 - i) you have the right to transfer the data we hold on you to yourself or,
 - i) another party
- g) **the right to object** to the inclusion of any information;
- h) **the right to regulate any automated decision-making and profiling of personal data.**

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't haven't the right to object, but you have the right to withdraw consent.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at [raise a concern with ICO](#).

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see contact your Commissioning School.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting Julie Mathers at jmathers@elkolet.com

Contact

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

Administration- Julie Mathers – jmathers@elkolet.com

Director- Paula Knowles- plk@elkolet.com