



Privacy Notice – Students

Our contact details

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1. Introduction

As a student, you have a legal right to be informed about how our Trust uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This privacy notice explains how we collect, store and use personal data about students at our academies.

Nexus MAT is the 'data controller' for the purposes of data protection law.

Our data protection officer is the Executive Director - Corporate Affairs.

2. The personal data we hold

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

- Contact details and contact preferences (such as your name, address, email address and telephone numbers)
- Details of your family circumstances
- Details of any safeguarding information including court orders or professional involvement
- Records of your correspondence and contact with us
- Details of any complaints you have made
- Information about your use of our information and communication systems, equipment and facilities (e.g. school computers)
- Photographs and CCTV images captured in school

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Information about your characteristics, like your ethnic background or any special educational needs
- Information about any medical conditions you have
- Your biometric data, like your fingerprint to enable you to use cashless catering services

We may also hold data about you that we have received from other organisations, including other schools, the local authority and local authorities.

3. Why we use this data

We use the data listed above to:

- Get in touch with you and your parents/carers when we need to
- Check how you're doing in lessons and exams and work out whether you or your teachers need any extra help
- Track how well the school and trust as a whole is performing
- Look after your wellbeing and keep you safe
- For biometric data, to enable our cashless catering payment system
- Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely
- Answer your questions and complaints
- Publish statistics, for example, about the number of [students/pupils] or learners in schools
- Meet legal requirements placed upon us

We will only use your personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

3.1. Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information by email or text promoting events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by contacting us.

3.2. Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

3.3. Use of your personal data for filtering and monitoring purposes

While you're in any of our trust's schools, we may monitor your use of our information and communication systems, equipment and facilities (e.g. school computers). We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)
- Protect your welfare

4. Our lawful basis for using this data

Our lawful bases for processing your personal data for the purposes listed in section 3 above are as follows:

- **Legal obligation (GDPR Art6(1)c):** the processing is necessary for you to comply with the law (not including contractual obligations). We need to process data to meet our responsibilities under law as set out here: <https://www.gov.uk/government/collections/statutory-guidance-schools>

An example of this is 'safeguarding children and young people'

- **Public task (GDPR Art6(1)e):** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law. Operating and managing an academy or trust is considered a 'task in the public interest'. Further details are available here: <https://www.gov.uk/government/collections/statutory-guidance-schools>

Less commonly, we may also use personal information about where:

- We have requested for your Consent to use the data in a certain way
- We need to protect and individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent.

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the trust's use of your data.

4.1. Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent (where the law requires consent) to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

5. Collecting this data

We will only collect and use your data when the law allows us to (as detailed above in section 4 of this notice). While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about you will come from your parents, but we may also hold data about you from:

- Local authorities
- The Department for Education (DfE), Police forces, courts and tribunals
- The NHS or your doctor
- Other schools or trusts
- Use of the school network and equipment via appropriate filtering and monitoring systems in line with DfE guidance

6. How we store this data

We keep personal information about you while you are attending our schools. We may also keep it beyond your attendance at our schools if this is necessary to comply with our legal obligations or to meet our regulatory requirements. Our retention schedule sets out how long we keep information. For a copy of this please review the information governance policy on the Nexus MAT website.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer have a legal requirement to retain it.

7. Who we share data with

We do not share information about you 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 UK data protection law), we may share personal information about you with:

- Schools or trusts that the students attend after leaving us
- The Local Authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- The Department of Education for statutory data collections such as the school census
- Governors or investigating officers

We do not allow our third-party service providers to use your personal data for their own purposes unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law), we may share the personal information about you with:

- Your family and representatives
- Educators and examining bodies
- Suppliers and service providers – so that they can provide the services we have contracted them for
- Students' destinations upon leaving our trust including other schools, colleges and trusts
- Our youth support services provider
- Our regulator, Ofsted
- Our auditors
- Survey and research organisations
- The NHS
- Health and social welfare organisations
- Professional advisers and consultants
- Police forces, courts, tribunals

7.1. Sharing data with the Department for Education

We have to share information about you with the Department for Education either directly or via our local authority, via various statutory data collections.

The data shared will be in line with the following legislation:

- Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013 [For use by mainstream schools only]
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013 [For use by academies and free schools only]
- See relevant legislation for each specific data collection: [Data collection and censuses for schools - GOV.UK](#)

The data is transferred securely and held by the Department for Education under a combination of software and hardware controls which meet the current government security policy framework.

The data we share about you with the Department for Education is used for a number of different purposes, including to:

- Help decide the amount of money that our school receives
- Monitor how well the education system is working and how well our school is doing in terms of educating our pupils
- Support research

The information shared with the Department for Education about you could include:

- Your name and address
- Your unique pupil number
- Pupil matching reference numbers
- Details of your gender or ethnicity
- Details of any special educational needs (SEN)
- Details of schools attended
- Absence and exclusion information
- Information relating to exam results
- Information relating to any contact with children's services
- What you have done since finishing school

This list is not exhaustive

Once pupils in our school reach the age of 13, we are legally required to pass on certain information to the local authority or youth services provider, which has responsibilities regarding the education or training of 13- to 19-year-olds under section 507B of the Education Act 1996. Parents/carers, or pupils if aged 16 or over, can request that only their name, address and date of birth be passed to these agencies by informing the trust.

7.1a National Pupil Database

We have to provide information about you to the Department for Education as part of data collections such as the school census.

Some of this information is then stored in the National Pupil Database, which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

The Department for Education may share information from the database with other organisations, such as organisations that promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use your data.

You can find more information about this on the Department for Education's webpage on how it collects and shares research data. You can also contact the Department for Education if you have any questions about the database.

7.2. Generative Artificial Intelligence (AI)

Employees of Nexus MAT and students enrolled in Nexus MAT schools will not enter any personal information or intellectual property that is not their own into generative AI tools whilst using Nexus MAT computer systems or carrying out work for Nexus MAT. Generative AI tools will not be used for making automated judgements regarding individuals.

7.3. Transferring data internationally

We may share personal information about you with certain third parties who store their data outside of the UK, where different data protection laws apply.

Where we transfer your personal data to a country or territory both outside the UK, we will follow UK data protection law and we will ensure other protections are used such as Standard Contractual Clauses (SCCs) or Binding Corporate Rules (BCRs). Details of where each processor stores data and what protection applies is held by the trust.

8. Your Rights

8.1. How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding it, how we are processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- 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

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us.

You also have the right to request a copy of the data held by the Department of Education within the Learning Record Service and your Personal Learning Record. Please use the links below for more information about this:

- <https://www.gov.uk/government/publications/lrs-privacy-notice/lrs-privacy-notice>
- <https://www.gov.uk/guidance/how-to-access-your-personal-learning-record>

8.2. Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal data is used and kept safe.

For example, you have the right to:

- Say that you don't want your personal information to be used
- Object to our use of your personal data where it is likely to cause, or is causing damage or distress
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected or blocked
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office if you feel we have not used your information the right way
- Claim compensation for damages caused by a breach of the data protection regulations

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.

To exercise any of these rights, please contact us.

9. Complaints

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 concerns about our data processing, please raise this with us in the first instance. You can make a data protection complaint to us at any time by contacting: complaints@nexusmat.org

When a data protection complaint is lodged with us, we will:

- Acknowledge the complaint within 30 days
- Take appropriate steps to investigate the complaint
- Inform the complainant of the outcome of the complaint without undue delay

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

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