

Thomas Telford Multi Academy Trust



Consent Policy

November 2022

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1. Reference

This procedure is a requirement of the following policies

- TTMAT Data Protection Policy

2. Introduction

Consent

As a trust, we will seek consent from staff, volunteers, young people, parents and carers to collect and process their data. We will be clear about our reasons for requesting the data and how we will use it. There are contractual, statutory and regulatory occasions when consent is not required.

We may process personal and sensitive data without consent, if another provision applies.

Consent is defined by the UK GDPR as “any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her”.

We may seek consent from young people also, and this will be dependent on the student and the reason for processing. Students over 13 can give or withdraw consent.

Consent and Renewal

On the trust and academy websites we have ‘Privacy Notices’ that explain how data is collected and used. It is important to read those notices as it explains how data is used in detail.

Obtaining clear consent and ensuring that the consent remains in place is important for school. We also want to ensure the accuracy of that information.

When a student joins a TTMAT academy, part of the process is to seek consent. This information is retained on the student file. If there are any changes, it is important that we are informed as soon as possible.

We review the contact and consent form on an annual basis. There will also be reminders about the need to update us throughout the academy year.

For Students and Parents/Carers

On arrival at the academy, you will be asked to complete a form providing next of kin details, emergency contacts and other essential information. We will also ask you to give consent to use the information for other in school purposes, as set out on the data collection/consent form.

Student Consent Procedure

Where processing relates to a student under 13 years old, the academy will obtain the consent from a person who has parental responsibility for the student.

Students may be asked to give consent or to be consulted about how their data is obtained, shared and used in certain situations.

Withdrawal of Consent

Consent can be withdrawn, subject to contractual, statutory or regulatory constraints.

Where more than one person has the ability to provide or withdraw consent the school will consider each situation on the merits and within the principles of UK GDPR and also student welfare, protection and safeguarding principles.

To withdraw consent, please complete the appropriate form on the academy websites.

3. Post 16 Data Sharing and Privacy Notice

To prepare students to leave us and to make sure that their next phase of education or training is as successful as possible, we understand how important it is that the right information is shared.

Upon confirmation of acceptance of a place or enrolment at the student's chosen Post 16 placement, personal data will be made available to that organisation. The purpose of processing the data is to ensure that the Post 16 institutions have knowledge of all relevant student information to further support students during the transition process and to settle into the next setting.

We will not give information about you to anyone outside of TTMAT without your consent unless the law allows or requires us to do so.

Information we have to pass on by law

Legally we are obliged to pass Intended Destination, September Guarantee and Annual Activity processes to the Local Authority. This may be direct to the Local Authority or via a Local Authority approved Post-16 Transition Portal. Further processing of the data will be undertaken by agreed third parties.

The Local Authority has legal obligations under the Education and Skills Act 2008 and the Apprenticeship, Skills, Children and Learning Act 2009 to assist, encourage and enable young people aged 13-19 (and young adults with learning difficulties or disabilities up to the age of 25) to participate in education or training. The Local Authority may pass on the information we share with them to the Department of Education.

We share the following information about you:

- What you are intending to do after Year 11 in terms of education, training or employment (your Intended Destination)
- Which post-16 provider made you an offer of a place on a course at the end of Year 11 and whether you took up the offer and started a course in Year 12 (referred to as the September Guarantee)
- What your destination is after you leave Year 11 if we are aware of this (as part of the Annual Activity Survey)

Information we share in order to support your education and training

Some of the information we collect from you during Year 10 and 11 is also shared by the Local Authority with providers who have been commissioned to deliver support services and/or post-16 providers and could offer you opportunities to support your transition into post-16 education and training.

What information do we share about you with post-16 providers?

To support your transition to post-16 education we, or the Local Authority, may also need to share further information on you directly with post-16 providers, this includes:

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and Free School Meal eligibility)
- Contact details, including parental contact details
- Attendance information (such as, but not limited to, attendance percentages, number of absences and absence reasons)
- Assessment information (such as, but not limited to, exam results and teacher assessment judgements)
- Relevant medical information
- Special Education Needs information
- Behavioural information (such as, but not limited, exclusions, attitudes to learning)
- Safeguarding information (such as, but not limited to, involvement of other agencies)
- Post-16 destination and enrolment information

You have a choice about what information is shared with post-16 providers. You can tell us if you do not want the above information about you to be shared with post-16 providers.

How we keep your information safe

Both the academy and Local Authority keep information about you on computer systems and sometimes on paper. There are strict controls on who can see your information.

Need to know more about how we process your information?

There are more details on the website in the GDPR section.

We are required by law to pass on certain information of students aged 16+ to providers of (youth) support services in your area. This is the local authority support service for young people aged 13-19 in England Section 507B of the Education Act 1996. For example, where disclosure of learning support need has been declared, we are required to provide the names and address of you and your parents/carer, along with any further information relevant to the support services' role.

However, if you are over 16, you or your parents/guardian can ask that no information beyond names, addresses and your date of birth can be passed to the support services. **Please contact your academy in writing to let us know that you do not want this information to be shared with the support services.**

Please note that safeguarding and child protection legislations takes precedence over this request. In addition, if you have learning needs and wish to opt out of this arrangement/support.

For more information about young people's services, please go to the National Careers Service page at <https://nationalcareersservice.direct.gov.uk/aboutus/Pages/default.aspx>

What happens next?

The College or University will have their own Data Protection Policy and Privacy Notices – you will need to contact them with any queries. The data we have supplied to them will only be retained on our systems to manage the transition and also in line with our data retention responsibilities, and these are set out in our retention schedule.