

# Privacy Notice (How we use pupil information)

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

- Personal information (such as name, unique pupil number, parent's details and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Pupil Photographs
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Medical information and conditions (including records of accidents/first aid administered)
- Special Educational Needs and Disability
- Behaviour and exclusions
- Child Protection and/or safeguarding records
- Post-16 Learning and destinations information

## Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils

## The lawful basis on which we use this information

On the 25th May 2018 the Data Protection Act 1998 was replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR are:

Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:  
  
(c) Processing is necessary for compliance with a legal obligation to which the controller is subject;

Article 9

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of

genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

2. Paragraph 1 shall not apply if one of the following applies:

- (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy (shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

This means that as a school we are legally required to collect, process and share some categories of personal data. The information is required for us to carry out our functions, including to assess progress, enter students for exams, safeguard student well being and carry out our responsibilities with regards to pastoral care.

The school will collect biometric data to enable students to use the cashless catering system in a more efficient and secure manner. This will only be collected and stored where consent has been given.

## Collecting pupil information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you when requesting information whether you are required to provide it to us or if you have a choice in this.

## Storing pupil information

We hold pupil data in line with retention guidance provided in the IRMS Information Management Toolkit for schools. This is currently the date of birth of the pupil plus 25 years.

## Who we share pupil information with

We routinely share pupil information with:

- schools and other educational establishments that pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- NHS/school nursing team
- our independent careers advisor
- prospective employers (to confirm education dates and examination results)

The school also shares some data with a number of third parties to support student learning and enable us effectively manage payments and communicate with parents. At present these organisations include:

- Tucasi (Schools Cash Office) – used to process payments and for text and e-mail communication with parents
- Cunninghams CRB – used to record dinner money payments, record spending in the dining hall and store biometric data (where consent has been given) for access to accounts.
- SISRA – used to track student progress, support learning and enable us to assess the quality of our provision
- School Synergy - used to track student progress and behaviour, support learning and pastoral care and enable us to assess the quality of our provision. Also used for communication with parents via email and text message
- Exampro/Activate/MyMaths/Kerboodle/Educake – used to support learning and track student progress – students are registered for these services so that they can have their own log-in information to support their class work, homework or revision.
- Unifrog – used to support the provision of careers advice and guidance and give students access to information about appropriate education and training opportunities post-16 and post-18.

All third parties who we share data with in this way are required to uphold the same data protection standards as the school and provide confirmation that their data storage and deletion procedures and policies comply with the relevant regulations.

## Why we share pupil information

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

## Data collection requirements:

To find out more about the data collection requirements placed on us 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

### Pupils aged 13+

Once our pupils reach the age of 13, we also pass pupil information to our local authority and / or provider of youth support services and careers advice 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 to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once he/she reaches the age 16.

### Pupils aged 16+

We will also share certain information about pupils aged 16+ with our local authority and / or provider of youth support services and careers advice 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 our local authority 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.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' 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 our pupils 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 our 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 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 pupil 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, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the Head Teacher's PA at the school.

You also have the right to:

- object to 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 the school's Data Protection Officer, Mrs P Gilmore, at the school.