

Privacy Notice (How we use pupil information)

Personal Data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession, or likely to come into such possession. The processing of Personal Data is governed by the Data Protection Act 2018.

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

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment Information (such as Effort and Progress Grades, test and Examination Results)
- Biometric Identifiers (for the purposes of identification for cashless catering or access control)
- Relevant Medical Information (such as Allergies or other medical conditions that the school needs to be aware of)
- Special Educational Needs Information (such as additional support required in School)
- Behavioural Information (such as homework defaults or detention records)
- Post 16 Learning Information (such as Learning Aims or hours of study)
- Safeguarding 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

The lawful basis on which we use this information

We collect and use pupil information under:

- Article 6(a) of the GDPR – Consent is provided explicitly at the time of collection
- Article 6(c) of the GDPR – Processing is necessary for compliance under a separate legal obligation (the Education Act 1996)
- Article 6(d) of the GDPR – processing is necessary to protect the vital interests of the data subject
- Article 9(a) of the GDPR – Explicit consent has been given by the data subject to the processing of Special Category Data

Collecting pupil information

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

Storing pupil data

We hold pupil data for the duration of the time that the pupil is educated with us, and then under the schedule details in our Data Retention Policy.

Data also shared and stored with some third party organisations, with which we have contractual and legal agreements in order to safeguard the data held.

Who we share pupil information with

We routinely share pupil information with:

- schools that the students attend after leaving us
- our local authority
- the Department for Education (DfE)
- the School Nurse Team (NHS)

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 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 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 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 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.

Release of information to the Media, Examination Results, Newsletters and Blogs or Websites

Under the Education Act 1996, schools are required to provide information relating to pupils' examination results. This type of information does not identify individual pupils. The following advice applies to the publication of information that identifies individual pupil's achievements, or items covering news or success stories.

When considering a disclosure of personal information, you must ensure that any disclosure is justified under the Data Protection Principles. The First Principle is particularly relevant when disclosure of personal information is being considered. In order to be fair and lawful, the school must ensure that data subjects are aware of any non-obvious uses or disclosures that may be made with their information at the time that they provide it and that the school has properly notified the release of information to the press and media, or published it via newsletters or online.

If a school has traditionally released results to the local press, and all pupils and their parents would be aware of this, then it is likely that this may be regarded as an 'obvious' disclosure. In these circumstances it would not, strictly speaking, be necessary to notify pupils that details of their results are to be passed on. However, it would be good practice to do this so those new pupils to the school or the area are made aware that their results may be published and given the opportunity to object. If objections are received, then these should be respected. Failure to do so would constitute "unfair processing".

If a school that has not previously passed results to the local press decides to do so then all pupils must be notified and given the opportunity to object. The results of those who do object should not be passed on. Similarly, pupils should be notified if any additional information is to be published, such as their intended universities or future employers.

A notification should be included in any school publication or communication from the school to the parents. The parents of younger children will make the decision on behalf of their children.

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 Trust Data Protection Officer, Mr K Smith

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:

Mr K Smith, Data Protection Officer