

Privacy Notice – Secondary Schools

This document explains how we process data in line with the requirements of the Data Protection Act 1998 and the new GDPR 2018.

How do we use pupil information?

We collect and hold personal information relating to our pupils and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE). We use this personal data to:

- support our pupils' learning;
- monitor and report on their progress;
- provide appropriate pastoral care;
- contact parents as appropriate regarding their child;
- comply with the law surrounding data sharing; and
- assess the quality of our services.

What information do we hold?

We hold the following types of information on pupils:

- Personal information (such as name, unique pupil number, address, family contact details)
- 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, names of previous school or destination school. NB: Attendance information is not collected for those under 4 years old.)
- Medical information (such as information to support relevant medical conditions)
- Assessment information (such as exam results, progress information)
- Personal Support information (such as Individual Health Care Plan, SEND Support Plan, Pupil Premium Plan, Child Protection Plan)
- Pastoral information (such as behaviour incidents, Individual Behaviour Plans, exclusion records)

Who do we share information with?

We will not give information about our pupils to anyone outside the Trust without parental consent unless the law and our policies require us to do so. This would include for reasons relating to Safeguarding or Child Protection or in order to pass information to another school at the point of pupil transfer.

We are required by law to pass some information about our pupils to the Department for Education (DfE). This information will, in turn, then be made available for use by the Local Authority (LA). Where appropriate, we may also send relevant information to NHS personnel for pupils who are changing school or address to ensure continuity of health care.

The DfE may also share pupil level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the Data Protection Act 1998. Decisions on whether DfE releases this personal data to third parties are subject to a robust approval process and are 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 level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

Once pupils are aged 13 or over, we are required by law to pass on certain information to providers of youth support services in your area. We must provide both the pupil's and their parent's/s' name(s) and address, and any further information relevant to the support services' role. However, pupils over 16 can ask that no information beyond names, address and date of birth be passed to the support service. This right transfers to the pupil on their 16th birthday. Please inform the school if you wish to opt-out of this arrangement.

Do our procedures comply with the Law?

Our procedures are set out in full in our Data Protection Policy 2018, which is fully compliant with the new GDPR. This includes compliance with the 8 Principles of Data Protection:

1. Fair and lawful processing
2. Processing for a specified purpose
3. Adequate and appropriate processing
4. Accurate processing
5. Retention of personal data
6. The rights of the individual
7. Security
8. Data storage within the EU

The lawful basis on which we use pupil data is based on:

GDPR Article 6(1)(e) which “permits processing where necessary for the performance of a task carried out in the public interest or in the exercise of official authority”. **This means that we require the information we collect in order to carry out our legal duties as an educational provider.**

GDPR Article 8: where “consent is relied on as the lawful ground for processing the personal data of a child [under the age of 16]”. **This means that for pupils under 16 we require parental consent to collect and process their data, which parents are asked to provide at the point where a child is admitted to the school, using the official Admissions Form.**

GDPR Articles 9 & 10: which require special conditions to be met for processing “special categories” of personal data. These categories include: personal data revealing race, ethnic origin or religious beliefs; the processing of biometric data (e.g. fingerprints) for the purpose of uniquely identifying a person; and data concerning health. **This means that where we do collect such information, we have to meet very specific requirements for storing it safely and ensuring that it is not shared.**

The Education Act 1996 and Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013: which requires schools to share specific data with the DfE through regular census collections and the submission of exam results. **This means that we provide personal data to the government in order to comply with the requirement to generate national statistics in relation to education and pupil outcomes.**

To find out more about the data collection requirements placed on us by the government, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools> or <https://www.gov.uk/contact-dfe> or <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

Can I find out what information the school holds about my child?

You do have the right to ask for a copy of the information that the school holds about your child. If you wish to do so, please contact the school. The information will consist of what you have provided the school, plus information relating to assessment, behaviour, medical needs, SEND and school reports. 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 (**NB: we do not process data for this purpose**)
- object to decisions being taken by automated means (**NB: we do not use automated decision-making**)
- 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 ask that you raise your concern with the school in the first instance. Alternatively, you can contact the Information Commissioner’s Office at <https://ico.org.uk/concerns/>