

York Learning, Culture and Childrens Services FAIR PROCESSING NOTICE (LAYER TWO)

This notice gives additional information to the notice sent to you and provides further information about the processing of pupils' personal data by the other organisations mentioned in that notice.

Both Millthorpe School and the LA processes personal data about the children and young people attending the school and are therefore acting as "data controllers" under the Data Protection Act 1998. We are therefore required to inform you of the purposes for which we hold personal data and how it is used.

The data schools and LA hold is processed to:

- support the children's' teaching, learning and welfare
- monitor and report on their progress;
- provide appropriate pastoral care, promote welfare and safeguard children
- assess how well the school and LA as a whole is doing, and
- to inform service planning within the City of York area.

This information includes contact details, national curriculum assessment results, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information.

From time to time the school and /or the LA is required to pass on some of this data to other local authorities (e.g. the child's home LA), the Department for Children, Schools and Families (DCSF), (which also has responsibility for ContactPoint¹ - see below) and to agencies that are prescribed by law, such as the Qualifications and Curriculum Authority (QCA), Ofsted, the Learning and Skills Council (LSC), the Department of Health (DH), Primary Care Trusts (PCT), Aim Higher, and organisations that require access to data in the Learner Registration System as part of the MIAP (Managing Information Across Partners) programme. All of these are data controllers for the information they receive. The data must only be used for specific purposes allowed by law.

The Children's Act 2004 Information Database (England) Regulations 2007 requires maintained schools to supply basic contact information to ContactPoint. It also requires the LA to maintain the accuracy of the information held on ContactPoint about children and young people in their area.

The Local Authority uses personal information about children living within its area and / or for whom it provides services. The information is used to carry out the functions for which it is responsible and to fulfil its duties under the Children's Act 2004. These duties include a duty under section 10 to promote co-operation between agencies in order to improve children's well being and under section 11 to safeguard and promote the welfare of children living in the LA area. As well as statutory support, this may include arranging the provision of additional but non-statutory support as needed. This will sometimes require the sharing of information between

¹ ContactPoint is a directory that will help people who work with children and young people to quickly find out who else is working with the same child, making it easier to deliver more coordinated support

the different professional groups who work with children as part of the Children's Trust arrangements. The sharing of information will make it easier for children and their parents or carers to access all the services they need and help to ensure that the most appropriate services are offered to children according to their needs.

Agencies of course, must always have a good reason for seeking information and for sharing it, and under most circumstances consent from parents will be requested before doing so. Without the relevant information, a decision on what service a child needs cannot be made and a lack of information and communication between professionals increases the risk that children in need of additional support fail to receive it.

Examples where pupil level information will be shared include:

- Information will be shared with other local authorities where necessary to assist them to fulfil their duties, e.g. to ensure that children are not missing education.
- The Children Act 2004 Information Database (England) Regulations 2007 requires the LA to maintain the accuracy of the information held on ContactPoint about children and young people in their area.

The Local Authority (LA) also uses the information to derive statistics to inform decisions on (for example) the funding of schools, and to assess the performance of schools and set targets for them. The statistics are used in such a way that individual children cannot be identified from them.

www.york.gov.uk

The City of York Data Protection Officer can be contacted by writing to
Information Management Officer
PO Box 31, Library Square, York YO1 7DU
tel: (01904) 551550
email: data.protection@york.gov.uk

The **Qualifications and Curriculum Authority (QCA)** uses information about pupils to administer the national curriculum assessments portfolio throughout Key Stages 1 to 3. This includes both assessments required by statute and those that are optional. The results of these are passed on to DCSF to compile statistics on trends and patterns in levels of achievement. The QCA uses the information to evaluate the effectiveness of the national curriculum and the associated assessment arrangements, and to ensure that these are continually improved.

www.qca.org.uk **Data Protection Officer, QCA, 83 Piccadilly,
LONDON, W1J 8QA;**

Ofsted uses information about the progress and performance of pupils to help inspectors evaluate the work of schools, to assist schools in their self-evaluation, and as part of Ofsted's assessment of the effectiveness of education initiatives and policy. Ofsted also uses information about the views of children and young people, to inform children's services inspections in local authority areas. Inspection reports do not identify individual pupils.

www.ofsted.gov.uk **Data Protection Officer, Alexandra House, 33
Kingsway, London WC2B 6SE;**

The **Learning and Skills Council (LSC)** uses information about pupils for statistical purposes, to evaluate and develop education policy and monitor the performance of the education service as a whole . The statistics (including those based on information provided by the QCA) are used in such a way that individual pupils cannot be identified from them. On occasion information may be shared with other Government departments or agencies strictly for statistical or research purposes only. The LSC or its partners may wish to contact learners from time to time about courses, or learning opportunities relevant to them.

www.lsc.gov.uk **Data Protection Officer ,Cheylesmore House, Quinton Road, Coventry, Warwickshire CV1 2WT**

Learner Registration System (LRS) The Learning and Skills Council (LSC) also administers the Managing Information Across Partners (MIAP) Programme on behalf of the MIAP membership. More information about MIAP membership can be found at www.miap.gov.uk

LSC is responsible for the development and operation of the Learner Registration Service (LRS) and also the creation of a learner record.

For pupils of 14 years and over and for pupils registering for post-14 qualifications, the school will pass on certain identification information to the LRS to create and maintain a unique learner number (ULN), and achievement information to the MIAP Service to create and maintain a learner record. The Learner Registration Service will enable organisations allowed by law and detailed at www.miap.gov.uk to access the ULN and contain it in their systems, thereby saving individuals having to supply the same information repeatedly to different organisations.

Details of how an individual may opt-out of sharing achievement data in their learner record with those organisations detailed at www.miap.gov.uk, can also be found at www.miap.gov.uk

www.miap.gov.uk **Data Protection Officer ,Cheylesmore House, Quinton Road, Coventry, Warwickshire CV1 2WT**

Primary Care Trusts (PCT) use information about pupils for research and statistical purposes, to monitor the performance of local health services and to evaluate and develop them. The statistics are used in such a way that individual pupils cannot be identified from them. Information on the height and weight of individual pupils may however be provided to the child and its parents and this will require the PCTs to maintain details of pupils' names for this purpose for a period designated by the Department of Health following the weighing and measuring process. PCTs may also provide individual schools and LAs with aggregate information on pupils' height and weight. Where appropriate Schools or the Local Authority will provide basic pupil level information to the PCT on requested to enable service planning and help ensure continuity of health care.

<http://www.nhs.uk/England/AuthoritiesTrusts/Pct/Default.aspx>²

The **Department of Health (DH)** uses aggregate information (at school year group level) about pupils' height and weight for research and statistical purposes, to inform, influence and improve health policy and to monitor the performance of the health service as a whole. The DH will base performance management discussions with Strategic Health Authorities on aggregate information about pupils attending schools in the PCT areas to help focus local resources and deliver the Public Service Agreement target to halt the year on year rise in obesity among children under 11 by 2010, in the context of a broader strategy to tackle obesity in the population as a whole. The Department of Health will also provide aggregate PCT level data to the Healthcare Commission for performance assessment of the health service.

www.dh.gov.uk **Data Protection Officer at Skipton House 80 London Road London SE1 6LH;**

The **Department for Children, Schools and Families (DCSF)** uses information about pupils for research and statistical purposes, to inform, influence and improve education policy and to monitor the performance of the education service as a whole. The DCSF will feed back to LAs and schools information about their pupils for a variety of purposes that will include data checking exercises, use in self-evaluation analyses and where information is missing because it was not passed on by a former school.

DCSF, with the participation of LAs, operates the database known as ContactPoint. ContactPoint is an online directory available to authorised staff who need it to do their jobs. It is designed to allow practitioners to find out who else is working with the child or young person, making it easier to deliver more coordinated support. Schools are under a statutory duty to pass onto ContactPoint certain information. This consists of basic information about the child or young person, the contact details of the school and the contact address and telephone numbers for the parents or carers, with parental responsibility ³, of the child or young person.

The DCSF will also provide Ofsted with pupil data for use in school inspection. Where relevant, pupil information may also be shared with post 16 learning institutions to minimise the administrative burden on application for a course and to aid the preparation of learning plans.

Pupil information may be matched with other data sources that the Department holds in order to model and monitor pupils' educational progression and to provide comprehensive information back to LAs and learning institutions to support their day to day business. The DCSF may also use contact details from these sources to obtain samples for statistical surveys. These surveys may be carried out by research agencies working under contract to the Department and participation in such surveys is usually voluntary. The Department may also match data from these sources to data obtained from statistical surveys.

³ All natural parents, whether they are married or not; any person who, although not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person; and any person who, although not a natural parent, has care of a child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law

Pupil data may also be shared with other Government Departments and Agencies (including the Office for National Statistics) for statistical or research purposes only. In all these cases the matching will require that individualised data is used in the processing operation, but that data will not be processed in such a way that it supports measures or decisions relating to particular individuals or identifies individuals in any results. This data sharing will be approved and controlled by the Department's Chief Statistician.

The DCSF may also disclose individual pupil information to independent researchers into the educational achievements of pupils who have a legitimate need for it for their research, but each case will be determined on its merits and subject to the approval of the Department's Chief Statistician.

www.DCSF.gov.uk **Data Protection Officer, DCSF, Sanctuary Buildings,
Great Smith Street, LONDON, SW1Y 3BT**

Pupils, as data subjects, have certain rights under the Data Protection Act, including a general right of access to personal data held on them. If you wish to access your personal data, or you wish your parents to do so on your behalf, then please contact the relevant organisation in writing:

For pupils of 13 years and over, the school is legally required to pass on certain information to Connexions services providers on request. Connexions is the government's support service for all young people aged 13 to 19 in England. This information includes the name and address of the pupil and parent, and any further information relevant to the Connexions services' role. However parents, or the pupils themselves if aged 16 or over, can ask that no information beyond name and address (for pupil and parent) be passed on to Connexions. If as a parent, or as a pupil aged 16 or over, you wish to opt-out and do not want Connexions to receive from the school information beyond name and address, then please contact: Millthorpe School, Nunthorpe Avenue, York, YO23 1WF. Tel: 01904 686400.

The LA and DCSF may supply to Connexions services providers information which they have about children, but will not pass on any information they have received from the school if parents (or the children themselves if aged 16 or over) have notified the school that Connexions should not receive information beyond name and address.