



# The Ecclesbourne School

“Learning together for the future”

## Pupil Privacy Notice

March 2018

### How we use pupil information

We must make sure that information we collect and use about pupils is in line with the GDPR and Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual we must have a legal basis to do so.

The lawful basis for schools to collect information comes from a variety of sources, such as the Education Act 1996, Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013, Article 6 and Article 9 of the GDPR.

The Department for Education and Local Authorities require us to collect certain information and report back to them. This is called a ‘public task’ and is recognised in law as it is necessary to provide the information.

We also have obligations to collect data about children who are at risk of suffering harm, and to share that with other agencies who have a responsibility to safeguard children, such as the police and social care.

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Support school administration
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

We also share information about pupils who may need or have an Education Health and Care Plan (or Statement of Special Educational Needs). Medical teams have access to some information about pupils, either by agreement or because the law says we must share that information, for example school nurses may visit the school. Counselling services, careers services, occupational therapists are the type of people we will share information with, so long as we have consent or are required by law to do so.

In school we also use various third party tools to make sure that pupil’s best interests are advanced. This includes financial software to manage school budgets, which may include some pupil data. We use systems to take electronic payments for school meals. We use software to track progress and attainment. We must keep up to date information about parents and carers for emergency contacts.

We also use contact information to keep pupils, parents, carers up to date about school events.

## What type of data is collected?

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not limited to:

<b>Area/Type</b>	<b>Examples</b>
<b>Personal information</b>	Name, unique pupil number, date of birth, identification documents
<b>Characteristics</b>	Ethnicity, language, nationality, country of birth and free school meal eligibility
<b>Contact details</b>	Postal/email address, telephone numbers and contact preferences
<b>Medical Information</b>	Existing physical or mental conditions, allergies, medication administration records and medical events or illness occurring within school
<b>Additional Needs</b>	SEN information relating to specific difficulty/disability, identified need or support offered
<b>Safeguarding information</b>	Specific issues, involvement from external agencies, support received, including care packages, plans and support providers
<b>Pupil and curricular records</b>	Course/group memberships and timetable
<b>Attendance information</b>	Session/lesson attendance, number of absences, absence reasons and correspondence
<b>Assessment/Exam information</b>	Targets, results of internal assessments and externally set exams
<b>Conduct information</b>	Achievements, behaviour and exclusions
<b>Transport</b>	Transportation used to and from the school site
<b>Photographs</b>	Individual, group or general photos
<b>CCTV Footage</b>	CCTV footage and still images captured using the schools CCTV System or provided by external organisations where students are involved.
<b>Catering and Trip</b>	Records of catering and trip purchases and current balance
<b>Biometric</b>	Patterns based on fingerprints (no image of the fingerprint is stored)
<b>Usage Log</b>	Usage logs for Internet, Email and System Usage

## Our legal basis for using this data

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this 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 General Data Protection Regulation, 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 information

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our record retention schedule sets out how long we keep information about pupils.

A copy of our record retention schedule is available on our website (<http://www.ecclesbourne.derbyshire.sch.uk>) or via written request from the schools general office.

## Sharing pupil information

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

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

External Organisation	Reason for sharing
Local Education Authorities	To meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
The Department for Education	To meet our legal obligations to share certain information with it. See National Pupil Database
The pupil's family and representatives	To meet our legal obligations to share certain information with them.
Educators and examining bodies	To perform an official task in the public interest. Examinations are a key function of the school. Data will be shared to facilitate the smooth running of the exams.

OFSTED	To meet our legal obligations as an educator we are obligated to share information with OFSTED. This will often be via the DFE and not directly from the school.
Suppliers and service providers	To enable them to provide the service we have contracted them to perform.
Financial organisations	To enable us to make payments to pupils who are eligible for financial support.
Central and local government	To meet our legal obligations to share certain information with it.
Our auditors	To comply with ESFA financial regulations. Data is always limited in scope and shared for a specific purpose.
Health authorities	To perform an official task in the public interest or protect a pupils vital interests
Security organisations	To perform an official task in the public interest or to protect pupils vital interests
Health and social welfare organisations	To perform an official task in the public interest or to protect a pupils vital interests
Professional advisers and consultants	The school employs a number of external professional advisers to perform various specific roles. The data shared will always be specific to the role of the advisor and will be only what is necessary for them to perform the service we have contracted them to perform.
Charities and voluntary organisations	Summary data may be shared with charities and voluntary organisations. No specific pupil data will be shared without consent.
Police forces, courts, tribunals	To perform an official task in the public interest or to protect a pupils vital interests.
Professional bodies	Summary data may be shared with professional bodies. No specific pupil data will be shared without consent.

Where pupil data is shared, the school assesses the risk of sharing the data and will seek assurances that the data will be managed in a way that is GDPR compliant.

#### **Aged 14+ qualifications**

For pupils enrolling for post 14 qualifications, the Learning Records Service will give us a pupil's unique learner number (ULN) and may also give us details about the pupil's learning or qualifications

#### **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**

#### **What is different about 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 / 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.

#### **Our 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.

### **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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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 J. A. Walker Solicitor and Mediator

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, you should raise your concern with us in the first instance or directly to 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:

- J. A. Walker Solicitor and Mediator  
14 Forsells End,  
Houghton on the Hill,  
Leicester,  
LE7 9HQ  
0333 772 9763