

## **PRIVACY NOTICE**

### **Why do we collect and use personal information?**

#### **We collect and use personal information:**

- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral care
- to assess the quality of our services and how well our school is doing
- for statistical forecasting and planning
- to comply with the law regarding data sharing and safeguarding.

#### **The information we collect includes:**

- personal information (such as name, unique student 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) and exclusions
- assessment information
- modes of travel
- relevant medical, special educational needs and behavioural information
- post 16 learning information
- records of financial transactions.

The General Data Protection Regulation allows us to collect and use student information with consent of the data subject, where we are complying with a legal requirement, where processing is necessary to protect the vital interests of a data subject or another person and where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. When the personal information is Special Category Information we may rely on processing being in the substantial public interest in addition to consent of the data subject and the vital interests of the data subject or another. Our requirement for this data and our legal basis for processing this data includes the Education Act 1996, 2002 and 2011, The Children's Act 1989 and 2004, Education and Skills Act 2008, Schools Standards and Framework Act 1998 and the Equalities Act 2010.

Special data as defined in Article 9 or the GDPR is collected where consent is given (biometric tills) or where we have a legal obligation (safeguarding).

Processing of the data will only be carried out in accordance with Article 6 (extract below):

(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes

(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract

(c) processing is necessary for compliance with a legal obligation to which the controller is subject

(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person

(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

(f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

### **Why do we collect and use pupil information?**

We collect and use pupil information under:

#### General Data Protection Regulations

- Article 6(1)(e) – the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- Article 9(2)(g) – the processing is necessary for reasons of substantial public interest.

We use the pupil data:

- to protect pupil welfare and carry out safeguarding activities;

### **Collecting personal information**

Whilst the majority of personal 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 personal information to us or if you have a choice in this. Where we are using your personal information only on the basis of your permission you may ask us to stop processing this personal information at any time.

### **Storing personal data**

We hold student data in accordance with our retention schedule which is available on request.

### **Who do we share student information with?**

We routinely share student information with:

- schools that students attend after leaving us
- our local authority
- the Department for Education (DfE).

## **Aged 14+ qualifications**

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

## **Why we share student information**

We do not share personal information with anyone without consent unless the law and our policies allow us to do so. We share students' 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 students 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>.

Once our students reach the age of 13, we also pass student 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/student once he/she reaches the age 16.

## **The National Pupil Database (NPD)**

The NPD is owned and managed by the Department for Education and contains information about students 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 students 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 student information we share with the Department, for the purpose

of data collections, see <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, see <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The Department may share information about our students 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
- the arrangements in place to store and handle the data.

To be granted access to student 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, see <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the Department has provided student information, (and for which project), see <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE see <https://www.gov.uk/contact-dfe>.

## **Requesting access to your personal data**

Under data protection legislation, parents and students have the right to request access to information about them that we hold. To make a request for your personal information, or to be given access to your child's educational record, contact the school's Data Protection Officer (DPO) Mr I Newman by email at [dpo@cowplainschool.co.uk](mailto:dpo@cowplainschool.co.uk).

You also have the right, subject to some limitations 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
- 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 school Reception on 023 9261 2020 or email [DPO@cowplainschool.co.uk](mailto:DPO@cowplainschool.co.uk).

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