



Joseph Swan Academy

11th January 2018

Dear Parent/Carer

Privacy Notice (How we use student information)

Why do we collect and use student information?

We collect and use student information under the Data Protection Act 1998 (DPA) and “Article 6” and “Article 9” of the General Data Protection Regulation (GDPR).

Article 6 (GDPR) condition: Processing is necessary for compliance with a legal obligation to which the data controller is subject.

Article 9 (GDPR) condition: For substantial public interest on legal basis.

We use the student data:

- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

We may also receive information from their previous school or college, local authority, the Department for Education (DfE) and the Learning Records Service (LRS).

Note: Schools and local authorities have a (legal) duty under the DPA and the GDPR to ensure that any personal data they process is handled and stored securely.

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

- 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)

For details of what we collect, hold and share, please visit the Information Commissioner’s Office (ICO) Data Protection Register on <https://ico.org.uk/esdwebpages/search> and enter Z2982785.

Collecting student information

Whilst the majority of student 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 student information to us or if you have a choice in this.

Storing student data

We hold student data for no longer than is necessary. Full details of data retention lists can be found in the Records Management Society’s (RMS) Retention Guidelines for Schools (which can be found on the Council Intranet at <https://intranet.gateshead.gov.uk/media/1032/Retention-guidelines-for-schools/pdf/schoolsretentionschedulefinal.pdf>)

Head Teacher Miss H. E. Scott, **Chair of Governors** Mr M. Jones

Joseph Swan Academy, Saltwell Road South, Gateshead, NE9 6LE

Tel: **0191 442 2000** Fax: **0191 442 2001** E-mail: enquiries@josephswan.org.uk

Who do we share student information with?

We routinely share student information with:

- schools that the student's attend after leaving us
- our local authority
- the Department for Education (DfE)
- NHS (for inoculations, etc)

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 information about our students 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 Students) (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 students aged 13+?

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.

Our students aged 16+

We will also share certain information about students 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 Student 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 Students) (England) Regulations 2013.

To find out more about the student 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-student-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: and
- 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, please visit: <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), please visit the following website: <https://www.gov.uk/government/publications/national-student-database-requests-received>

To contact DfE: <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 be given access to your child's educational record, contact Mrs Atkinson, Academy Administration Manager via andreaatkinson@josephswan.org.uk or 0191 4422004

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:

- Mrs Andrea Atkinson, Academy Administration Manager via andreaatkinson@josephswan.org.uk or 0191 4422004

Yours faithfully



Miss H E Scott
Head Teacher