

## **Privacy Notice (How we use student information)**

**The categories of student information that we process include:**

- personal identifiers and contacts (such as name, unique student number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- biometric finger print information (for the academy's cashless catering system)

This list is not exhaustive, to access the current list of categories of information we process please request to see our data asset register.

### **Why we collect and use student information**

The personal data collected is essential in order for the school to fulfil their official functions and meet legal requirements.

We collect and use student information, for the following purposes:

- a. to support student learning
- b. to monitor and report on student attainment progress
- c. to provide appropriate pastoral care
- d. to assess the quality of our services
- e. to keep children safe (food allergies, or emergency contact details)
- f. to meet the statutory duties placed upon us for DfE data collections

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing student information are:

- for the purposes of (a), (b), (c) & (d) in accordance with the legal basis of Public task: collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function
- for the purposes of (e) in accordance with the legal basis of Vital interests: to keep children safe (food allergies, or medical conditions)
- for the purposes of (f) in accordance with the legal basis of Legal obligation: data collected for DfE census information

- Section 537A of the Education Act 1996
- the Education Act 1996 s29(3)
- the Education (School Performance Information) (England) Regulations 2007
  - regulations 5 and 8 School Information (England) Regulations 2008
- the Education (Student Registration) (England) (Amendment) Regulations 2013

In addition, concerning any special category data:

- conditions a, b, c and d of GDPR - Article 9

### **How we collect student information**

We collect student information via registration forms at the start of each academic year. In addition, when a child joins that Academy from another school we are sent a secure file containing relevant information.

Student data is essential for the academy's operational use. Whilst the majority of student information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with GDPR we will inform you at the point of collection, whether you are required to provide certain student information to us or if you have a choice in this.

### **How we store student data**

We hold student data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please contact the Business Manager.

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

We routinely share student information with:

- schools that the students attend after leaving us
- our local authority
- youth support services (students aged 13+)
- the Department for Education (DfE)

### **Why we regularly 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.

### **Youth support services**

#### **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

The information shared is limited to the child's name, address and date of birth. However, where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child / student once they reach the age 16.

### **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

Data is securely transferred to the youth support service via a secure file transferring system and is stored within local authority software.

For more information about services for young people, please visit our local authority website.

### **Department for Education**

We are required to share information about our students with the Department for Education (DfE) either directly or via our local authority for the purpose of data collections, under:

- Section 537A of the Education Act 1996
- the Education Act 1996 s29(3)
- the Education (School Performance Information) (England) Regulations 2007
- regulations 5 and 8 School Information (England) Regulations 2008
- the Education (Student Registration) (England) (Amendment) Regulations 2013

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current government security policy framework.

For more information, please see 'How Government uses your data' section.

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

Under GDPR, 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 the Business Manager at the Academy.

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
- a right to seek redress, either through the ICO, or through the courts

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:

- The Business Manager at the Academy
- Our local authority <http://www.somerset.gov.uk/contact-us>

## How Government uses your data

The student data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Student Progress measures). □ supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

## 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/datacollection-and-censuses-for-schools>

## The National Student Database (NPD)

Much of the data about students in England goes on to be held in 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.

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

## Sharing by the Department

The law allows the Department to share students' personal data with certain third parties, including:

- schools
- local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 students per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided student information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfE-external-data-sha>

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

If you would like to discuss anything in this privacy notice, please contact: Amy Brittan, School Development Officer, Somerset LA – [dposchools@somerset.gov.uk](mailto:dposchools@somerset.gov.uk)