



**CALTHORPE
ACADEMY**
Skills for the life we want

Privacy Notice (How we use pupil information)

This notice is to help you to understand how and why we collect your personal information and what we do with that information. It also explains the decisions that you can make about your own information. Calthorpe Academy is the data controller of the pupils personal information which you provide to us. This means that the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed. The Schools Business Manager is the data protection officer (DPO). The DPO's role is to oversee and monitor the school's data protection procedures and to ensure that they are compliant with the General Data Protection Regulations (GDPR)

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

- personal identifiers and contacts (such as name, unique pupil 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 and disability (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment information (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)
- Details of support received, including care packages, plans and support provided Health & Care Plans (EHCPs)
- Photographs
- CCTV images
- Information relating to pupil premium eligibility

We may also hold data about pupils that we have received from other schools and local authorities.

Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to safeguard and support the health and wellbeing of our pupils
- to comply with the law regarding data sharing
- to administer admissions and waiting lists
- to meet the statutory duties placed upon us for DfE data collections

The lawful basis on which we use this information

On 25th May 2018, the Data Protection Act 1988 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

Article 6

- 1) Processing shall be lawful and only if and to the extent that at least one of the following applies:
 - a) The data subject has given consent
 - b) It is necessary for the performance of a contract to which the data is a party
 - c) Compliance is necessary for reason of legal obligation
 - d) To protect the vital interests of the data subject or of another person
 - e) For the performance of a task carried out in the public interest
 - f) It is necessary for the purposes of the legitimate interests pursued by the controller or by a third party

Article 9

- 1) Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership and the processing of genetic and/or biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.
- 2) Paragraph 1 shall not apply if one of the following applies:

Processing is necessary for achieving purposes in the public interest, scientific or historical research purposes or statistical purpose in accordance with Article 89(1) based on union or member state law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy (shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

The Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others

Collecting pupil information

We collect pupil information via annual returns sent out to parents/carers each year and via secure file transfer from previous school.

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 data

Pupil data is retained in accordance with the school's data protection policy and associated records retention schedule. The school does not store personal information indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

Who we share pupil information with

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

We routinely share pupil information with:

- Schools/settings that the pupil's attend prior to and after leaving us – to share information to support education, wellbeing and safeguarding
- Our local authority – to meet statutory obligations
- The Department for Education (DfE) – to meet statutory obligations
- Youth support services (pupils aged 13+) – Safeguarding, health and wellbeing
- Any employer/setting that our pupils attend as part of their education – to share information to support education, wellbeing and safeguarding

- The NHS and Medical teams working on the school site – for health and wellbeing
- Education transport – for education and safeguarding
- Professional advisors and consultants – to support education and wellbeing
- Multi Agency Support Hub – Safeguarding
- Childrens social care services – Health & wellbeing and safeguarding

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 our Local Authority, the Department for Education (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

Pupils 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 or 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.

Pupils 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 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 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>

Sharing by the Department

The law allows the Department to share pupils' 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 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil 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/dfе-external-data-shares>

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 Adam Miles, Data Protection Officer, Care of the School Office, telephone on 0121 7734637

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, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Call 0303 123 1113

Or write to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact

If you would like to discuss anything in this privacy notice, please contact:

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Trust Business Manager
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