



FEVERSHAM
EDUCATION TRUST

Privacy Notice (Pupils)

How we use pupil information

The school collects and uses pupil information in order to fulfil certain legal obligations and to support pupils during their time at the school both for educational purposes and to support with their personal and social development. Data is only shared with external agencies where the school is either legally required to do so or to inform other agencies who are also involved in supporting our pupils during their time at the school.

We collect and use pupil information under the principles of the General Data Protection Regulations (GDPR) which states that the data is used for 'specified, explicit and legitimate purposes'.

This Privacy Notice aims to inform you about the data we hold, who we share it with, why we share it and for how long we retain it. We are also required by law to advise you of the lawful basis/bases under which we collect and process data, as defined by the GDPR.

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

- Personal information (such as name, unique pupil 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)
- Educational Information (such as assessment data, exam results, predicted, tracking and mock target grades, school reports)
- Special Educational Needs information
- Relevant medical information (such as medical conditions, allergies, disabilities, physical and mental development difficulties, GP contact details)
- Behavioural records including exclusions
- Information around safeguarding pupils including wellbeing (such as external support provided; i.e. counselling referrals, social care)
- Post 16 learning information

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, ensuring the welfare and safeguarding of our pupils
- to provide necessary support with medical needs
- to support SEND pupils as required
- to monitor, report on and support with behavioural issues including exclusions
- to assist with the work of other external organisations involved in the support of pupils
- to support pupils in decision making with post 16 provision
- to assess the quality of our services
- to comply with the law regarding data sharing

In addition, throughout the school year we also take photographs and videos of students which are used:

- for display around the school
- within the school prospectus and on our school website
- newsletters or other reports regarding events and activities (such as educational visits, sporting activities, school plays) or other purposes within school publications and the general media

The lawful basis on which we use this information

We collect and use pupil information set out in the Education Act 1996; Regulation 5 of the Education Regulations 2013; section 83 of the Children Act 1989; and the following lawful bases as detailed within the GDPR:

- to fulfil our duties as a public authority, which is defined as our 'public task'.
- to ensure that we provide pupils with the relevant level of support in order for them to progress and achieve during their educational journey through school, which is defined as our 'legitimate interest'.
- to respond to any emergency situations that may arise (such as providing medical support in the absence of parental contact being established), this is defined as their 'vital interest'.

To conform with GDPR, any information the school processes fulfils one of the following requirements from Article 6 of the GDPR:

- Article 6(1)(c): where processing is necessary for compliance with a legal obligation to which the controller is subject.
- Article 6(1)(d): where processing is necessary in order to protect the vital interests of the data subject or of another natural person.
- Article 6(1)(e): 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.

Where we process special categories of personal data, we do so under obligations covered in Article 9 of the GDPR:

- Article 9(2)(a): the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject.
- Article 9(2)(c): that processing is necessary to protect the vital interests of your child or of another person where you or your child are physically or legally unable to give consent.

- Article 9(2)(f): processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.
- Article 9(2)(g): where processing is necessary for reasons of substantial public interest, on the basis of 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.

For the taking and use of photographs and/or videos of pupils our lawful basis as defined within the GDPR is 'consent'.

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 data

Pupil information is stored both electronically on our management information system and within individual pupil hardcopy files.

We hold pupil educational data securely for the time the child remains at the school; should the child transfer school, the records are then transferred to the new school. The final school will retain the information until the pupil reaches the age of 25, after which time the records are destroyed securely. Some data is held for different periods of time and thereafter securely destroyed; further details of which are listed within our Records Management Policy and is available on request.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- other educational establishments that pupils attend whilst on roll with us
- our local authority
- the Department for Education (DfE)
- Ofsted
- examination boards
- providers of educational, data and communication software purchased by the school (such as Tootoot, SISRA, Oliver library system, CPOMS, MyMaths, MathsWatch, Kerboodle, Survey Monkey, Fast Tomato, Alps, Securus, PS Engage, LanguageNut)
- NHS (such as vaccinations, school nursing service, CAMHS, paediatricians)
- statutory services where there is a legal obligation to share information (such as police, social services)
- educational psychology department
- other schools / academies / MATs (during pupil transfer)
- school information management system provider (such as SIMS (Capita), CMIS (Advanced Learning))

- off-site learning providers where pupil information is required in order for the trip to go ahead, including EVOLVE
- organisations used by the school to provide support services to students (such as mentoring, careers, voluntary sector support services)
- residential trip providers (and insurers)
- work experience providers
- school catering provider
- school photographers
- skills funding agency
- sixth form colleges and other post 16 providers

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

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 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 / pupil once he/she reaches the age 16.

Pupils aged 14+

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

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 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 GDPR 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 The Trust's Data Protection Officer.

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/>

Contact

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

The Data Protection Officer
Feversham Education Trust
Deanstones Lane
Bradford
BD13 2AS
Email: dpo@fetrust.org.uk