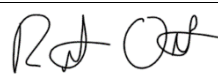


## GDPR Support for Schools

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<b>Author:</b>	DCC GDPR Team	<b>Minute number</b>	93ad/18-19
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<b>Signed by Chair of Governors</b>	Rishi Makwana 03/06/19	<b>Signed by Headteacher</b>	

### Privacy Notice (How we use pupil information)

We collect, hold and share personal information relating to our pupils and may also receive information about them from their previous school, alternative provision, pupil referral units, early years' providers, local authorities, NHS, Police and/or the Department for Education (DfE). In addition, we collect and hold limited information about parent/carer/emergency contacts for pupils.

### The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, photographs, biometrics (thumb print for catering services) 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 Doctor's 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)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- assessment and attainment (such as National curriculum assessment results e.g. Key Stage 2 results, exam results and student performance at different data collections, post 16 courses enrolled for and any relevant results)
- For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.
- Destination data
- Post 16 learning information
- Extra-curricular and enrichment participation

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- Funding (Free school meal, Pupil Premium, ESA, High Needs Funding and Catch Up Funding)
- CCTV data

This list is not exhaustive, to access the current list of categories of information we process please contact the Schools' Data Protection Officer.

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

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

- to support pupil learning
- to monitor and report on pupil attainment progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe
- to meet the statutory duties placed upon us for DfE
- to comply with the law regarding data sharing
- for site security
- protect public monies against fraud
- to streamline systems

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

- Article 6(a) - Consent (for any processing which does not fall into the bases detail within this section below)
- Article 6(c) - Compliance and Legal Obligation  
as set out in the Education Act 1996 (as amended). We are required to share information about our pupils with the (DfE) under regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.
- Article 6(e) - Public Interest

In addition, concerning any special category data of GDPR - Article 9 :

- Article 9(2g) - Processing is necessary for reasons of substantial public interest

Data Protection Act 2018 part 2 schedule 1;

- 8 - Equality of Opportunity or Treatment
- 16 - Support for Individuals with a Particular Medical Condition
- 18 - Safeguarding Children and Individuals at Risk

### **How we collect pupil information**

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We collect pupil information via admission forms completed by parent/carers when a student joins our School, data collection forms, information provided by; parent/carers, the previous school/provisions, local authorities, NHS, Police, the Department for Education (DfE) and by secure file transfer Common Transfer File (CTF).

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

### How we store pupil data

We hold pupil data on computer systems and also on paper 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 visit

<https://www.derbyshire.gov.uk/site-elements/documents/pdf/working-for-us/data/how-to-dispose-of-confidential-information-safely/records-retention-schedules/school-guidelines-on-records-retention-periods.pdf>

- *We are currently following the instructions of the Independent Inquiry into Child Sexual Abuse (IICSA) which states that student records should not be destroyed until this inquiry is complete.*

### Who we share pupil information with

We routinely share pupil information with:

- Schools that the pupils attend after leaving us
- Feeder schools
- Our local authority
- Other relevant local authorities
- Our Governing Body
- Youth support services/careers services (pupils aged 13+)
- Universities
- Employers/training providers where references are requested
- Work experience providers
- The Department for Education (DfE) Inc. Learner Record Services and the National Pupil Database
- Police
- NHS (agencies and services)/School Nurse
- Third party systems used by the School to carry out day to day processes and requirements. For example, and not limited to; SIMS, Teachers to Parents, parent portal – Insight, WisePay.
- For a full list of the third parties we share with, please click on this link (Add hyperlink to sanitised 3PP spreadsheet)

### Why we regularly share pupil information

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

When we do share information, it is for the purposes outlined in section 'Why we collect and use pupil information'.

### **Youth support services & Careers advisors**

#### **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
- post-16 education and training providers
- post-18 education and training providers

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 may be shared. This right is transferred to the child / pupil once they reach the age 16.

For more information about services for young people, please visit our local authority website or contact our Schools' Data Protection Officer.

### **Department for Education**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

Section 3 of The Education (Information About Individual Pupils) (England) 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 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 Ms C Wilson – Data Protection Officer.

You also have the right to:

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- 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 or complaint about the way we are collecting or using your personal data, you should raise your concern with our School's Data Protection Officer 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:**

Jonathan Farmer – Data Protection Officer (DPO)

☎ 01629 538555

✉ GDPR for Schools, Children's Services, Derbyshire County Council, Room 396 North Block, County Hall, Matlock, Derbyshire DE4 3AG: marked for attention of the Data Protection Officer (DPO)

### How Government uses your data

The pupil 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 Pupil 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/data-collection-and-censuses-for-schools>

### The National Pupil Database (NPD)

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

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

### **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/dfe-external-data-shares>

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