Whittington Green School

Dream Reach Achieve

Privacy Notice Pupil

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Last Reviewed	**Spring 2023**
Reviewed By (Name)	**Tracey Burnside**
Job Role	**Headteacher**
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This document will be reviewed annually and sooner when significant changes are made to the law.

Guidance from the Department for Education about school policies can be found here: https://www.gov.uk/government/publications/statutory-policies-for-schools-and-academy-trusts/statutory-policies-for-schools-and-academy-trusts

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Privacy Notice (How we use pupil information) – For pupils and their families

2.1 What this Privacy Notice is for

Whittington Green School collect, hold, use and share information about our pupils and their families. This is known as "personal data" and you have rights around that data, including knowing how and why we are processing the data. "Processing" data means from collecting, storing, using, sharing and disposing of it.

For the purposes of Data Protection legislation Whittington Green School is a data controller and is registered as such with the Information Commissioner's Office.

2.2 The types of information that we process

- Your name, date of birth, unique pupil number, and contact details including your address
- attendance records (sessions attended, number of absences, absence reasons and any previous schools attended)
- behavioural information (such as exclusions and any 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)
- medical conditions we need to be aware of, including SEND, mental and physical health
- safeguarding information including notifications from the police, court orders and/or social care involvement
- 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 (this is information about what students do after leaving the school, for example, college, university, apprenticeship, employment)
- Post 16 learning information
- Extra-curricular and enrichment participation
- CCTV data
- Photographs of you
- Correspondence and complaints

2.3 Special category data (Sensitive information)

- characteristics (including ethnicity and language
- safeguarding information (such as court orders and professional involvement)

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- special educational needs (including the needs and ranking)
- medical information that we need to be aware of (including your Doctor's information, child health, dental health, allergies, medication and dietary requirements)
- free school meal eligibility
- other funding (Pupil Premium, ESA, High Needs Funding and Catch Up Funding)
- biometrics (thumb print for catering services) – more information about this can be found in our Protection of Biometric Information document.

2.4 Why we collect and use your information

2.4.1 Pupil information

We collect and use your information:

- to support your 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
- photos are used for identification purposes (safeguarding), and celebration purposes (to record work, classes and school events)
- to meet the legal duties placed upon us by the Department for Education
- to comply with the law in general
- for site safety and security
- to protect against fraud
- to streamline systems

2.4.2 Family information

We collect and use information about our pupils' families:

- to fulfil our legal obligations
- for the admissions process
- for communication and reporting purposes
- for safeguarding and welfare purposes
- to keep families informed about events and emergencies
- to process payments
- to gather feedback about our work

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

- Article 6(a) – Your consent (for anything which does not fall into the purposes explained below)
- Article 6(c) - Compliance with our legal obligations 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. **In addition, there are extensive statutory obligations that a school is subject to – further details about these are available from our Data Protection Officer.**
- Being necessary for us to carry out tasks that are in the Public Interest

The ways we collect and use *sensitive* pupil and family information are lawful based on: your explicit consent; for compliance with certain legal obligations, or for exercising certain legal rights; for protecting a person's vital interests in an emergency; for health and public health reasons; or for carrying out tasks that are in the substantial public interest including for safeguarding purposes.

Please see our Special Category Data Policy document for full details of these lawful bases for processing this data.

2.4.3 Marketing purposes

Where a family member gives us consent, we may send them marketing information by text message or email, such as for promoting school events, campaigns or charities. Consent can be withdrawn at any time by contacting us (see the Contacts section) or by emailing info@wgs.derbyshire.sch.uk

2.4.4 Automated decision making & profiling

We don't use any of your personal information to make automated decisions about you, or to profile you. If this changes in the future, privacy notices will be updated to explain both the processing and your right to object to it.

2.5 How we collect pupil and family information

We collect pupil information using admission forms completed by parent/carer when a pupil joins our school, data collection forms, CCTV cameras, information produced from our day-to-day interaction with pupils, and other information provided by; parents/carers, the previous school/provisions, local authorities, NHS, Police, the Department for Education (DfE) and by secure file transfer Common Transfer File (CTF).

We sometimes audio/ video record sessions/lessons/assessments for pupil or staff development and assessment. This will generate personal data including pupil images, names, contributions, and will be protected, processed, and retained in the same way as all personal data, in line with the school's Data Protection Policies and in accordance with our other policies including Acceptable Use, Off Site Working and Bring Your Own Device policies, as well as our Retention Schedule.

Whilst most of the pupil information you provide to us is mandatory, some of it is requested on a voluntary basis. We will let you know, when we ask you for information, whether you are required to provide the information and your rights in relation to this.

2.6 How, where and for how long we store pupil and family information

We store pupil information securely on the School's IT network (this is stored in school. It is run by Advanced Learning. Safeguard in place are access limited authorised staff only. Secure storage is provided for paper based records.

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We only keep the information for the length of time we need it for, as shown in our data retention schedule. For more information on our data retention schedule, please email the school for an up to date copy.

We dispose of personal information securely when we no longer need it.

2.7 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
- External 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, ParentPay.

2.8 International Transfers

Your personal information may be transferred outside the UK and the European Economic Area ('EEA'), including to the United States. Where information is transferred outside the UK or EEA to a country that is not designated as "adequate" in relation to data protection law, the information is adequately protected by the use of International Data Transfer Agreements and security measures, and other appropriate safeguards. For more information on international transfers please contact us at the details below.

2.9 Freedom of Information Act and Environmental Information Regulations 2004

As a public body, our school is subject to requests made under the above legislation. However, we will never disclose personal data in our responses to these requests where to do so would contravene the principles of data protection.

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2.10 Why we regularly 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.

2.10.1 Youth support services & Careers advisors

Pupils aged 13+

Once our pupils reach the age of 13, we pass information about the pupil to our local authority so they can carry out their legal 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 object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once they reach the age 16

Data is securely transferred to the youth support service under the terms of a Data Sharing Agreement with Derbyshire County Council https://schoolsnet.derbyshire.gov.uk/administration-services-and-support/information-governance/information-sharing.aspx.

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

Pupils aged 16+

We will also share certain information about pupils aged 16+ with our local authority 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

A child / pupil once they reach the age of 16 can object to information other than their name, address and date of birth being passed to their local authority by contacting us.

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

2.10.2 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

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(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.

2.10.3 Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the Schools Admission Code, including conducting Fair Access Panels.

2.11. Requesting access to your personal data, and other rights

Under data protection law, pupils have the right to request access to information about them that we hold, and in some cases, parents can make the request on the pupil's behalf, although this will be subject to the pupil's consent if they are deemed to be competent to understand the request and any implications.

Parents also have the right to access their child's educational record.

Family members/carers also have the right to request access to information about them that we hold.

You also have the right to:

- be informed about the collection and use of your personal data.
- have inaccurate personal data changed, or completed if it is incomplete.
- erasure, often known as the 'right to be forgotten'; however this does not apply where, amongst other things, processing is necessary to comply with a legal obligation.
- restrict the way we are using your information, although, as above this is a limited right.
- object to the way we are using your information; though other than for marketing purposes, this is also limited as above.
- Where we rely on your consent to collect and use your data, you have the right to withdraw that consent. If you do change your mind, or you are unhappy with our use of your personal data, please let us know – our contacts are in section 2.14 at the end of this document.
- You also have rights in relation to automated decision making and profiling, though these are not currently relevant as we don't carry out automated decision making or profiling.
- Finally, the right to complain about the way we use your personal information to the ICO, or to seek compensation through the courts

If you would like to request access to your data, or use any of the other rights listed above, please contact the school office in the first instance.

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2.12 How Government uses your information

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

- underpins school funding, which is calculated based ~~up~~on 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)

2.12.1 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

2.12.2 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

2.12.3 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

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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

2.12.4 Learner Records Service

The information you supply is used by the Learning Records Service (LRS). The LRS issues Unique Learner Numbers (ULN) and creates Personal Learning records across England, Wales and Northern Ireland, and is operated by the Education and Skills Funding Agency, an executive agency of the Department for Education (DfE).For more information about how your information is processed, and to access your Personal Learning Record, please refer to: https://www.gov.uk/government/publications/lrs-privacy-notices

2.12.5 How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

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

2.13 Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated in Spring 2023.

2.14 Contacts

If you have a concern about the way we are collecting or using your personal data or you would like to discuss anything in this privacy notice, we ask that you raise your concern with us in the first instance.

Please contact the School Office, Headteacher or School Data Protection Officer:

Data Protection Officer	Education Data Hub (GDPR for Schools), Derbyshire County Council
DPO Email:	gdprforschools@derbyshire.gov.uk
DPO Phone:	01629 532888
DPO Address:	County Hall, Smedley Street, Matlock, Derbyshire, DE4 3AG

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For Derbyshire County Council:
Information Governance Officer
Children's Services Department, Derbyshire County Council
County Hall
Matlock
Derbyshire
DE4 3AG
Email: cs.dpandfoi@derbyshire.gov.uk
Telephone: 01629 536906

For DfE:
Public Communications Unit,
Department for Education,
Sanctuary Buildings,
Great Smith Street,
London, SW1P 3BT
Website: www.education.gov.uk
https://www.gov.uk/contact-dfe
Email: http://www.education.gov.uk
Telephone: 0370 000 2288

If, however you are dissatisfied with our response to your concerns you can of course contact the ICO quoting our ICO registration number **Z6393829** and stating that the Data Controller is Whittington Green School.

Information Commissioners' Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number
Fax: 01625 524 510
Website: https://ico.org.uk/concerns/

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