

Privacy Notice and GDPR



As part of our responsibility under the General data protection regulation we are required to provide a Privacy statement.

Why do we collect and use pupil information?

We collect and use pupil information under section 537A of the Education act 1996 and section 83 of the Children's Act 1989. To comply with the GDPR we process and share personal data under article 6(1)(c) to comply with a legal obligation, article 6(1)(d) to protect the vital interests of the data subject and article 6(1)(e) to perform a Public task, in our case this is the education provided to your child. We also process special categories of data under Article 9(2)(b) to carry out our obligations to safe guard the data subject and article 9(2)(c) to protect the vital interests of the data subject.

We use this data to:

- support its pupils' teaching and learning
- monitor and report on their progress
- provide appropriate pastoral care
- to comply with the law regarding data sharing
- support a young person in their transition to a post 16 provider of education or training
- assess how well the school as a whole is doing.

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)
- Medical information (such as name of GP, relevant medical conditions)
- Attendance information (such as sessions attended, number of absence, absence reasons)
- Behavioural information (such as behaviour incidents, exclusions)
- Assessment information (such as national curriculum assessments)
- Special educational needs information
- School history (such as where pupils go when they leave us)

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

We hold pupil data securely within a number of cloud and local computer systems as well as sometimes on paper. We hold your educational records until you reach the age of 25 after which they are safely destroyed.

Who do we share pupil information with?

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- Department for Education (DfE)
- Department of Health (DH)
- Ofsted
- Education Funding Agency (EFA)

All these are data controllers in respect of the data they receive and are subject to the same legal constraints by law in how they deal with the data.

We also provide pupil level personal data to third party organisations which supply services to us for which the provision of the data is essential for the service to be provided. All systems selected are commercially provided and meet a minimum standard for cyber security and data protection. We currently provide pupil level data for the following purposes:

- Systems integral to the delivery of core business services, e.g. Bromcom, Parentpay
- Systems integral to the operation of IT Services systems, e.g. Lightspeed, Google
- Curriculum products, e.g. Kaboodle, My Maths, Tassomai

Aged 14+ qualifications

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

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

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

A parent / 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.

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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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 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, please contact the school.

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
- withdraw consent where the lawful reason for processing is based on your consent

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 with our data protection officer Kaylie Ferrer via email kferrer@bernwodeschoolstrust.co.uk or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>