



### **Penair School Privacy Notice**

This Privacy Notice explains how and why we store personal information about pupils and parents/carers. It provides a guide to parents/carers about our legal obligations and their own rights. Like any organisation which handles personal data, our school is defined as a 'Data Controller' and, as such, we are registered with the ICO (Information Commissioner's Office) and we comply with the Data Protection Act and UK General Data Protection Regulation.

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

We Penair School are a data controller for the purposes of the General Data Protection Regulation (GDPR). The GDPR defines what is meant by 'personal data', places obligations on data controllers and creates principles relating to the processing of personal data. We collect personal information from you and may receive information about you from your previous school and the Learning Records Service. The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

#### **We use the pupil data:**

- to support pupil learning
- to monitor and report on pupil progress
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us by the Department for Education (DfE)
- to Safeguard pupils' welfare and providing appropriate pastoral and medical care
- to informing decisions such as the funding of schools
- to Assess performance and to set targets
- to give and receive information and references about past, current and prospective pupils, and to provide references to potential employers of past pupils
- to manage internal policy and procedure
- to enable pupils to take part in assessments, to publish the results of examinations and to record pupil achievements
- to carry out statistical analysis for diversity purposes
- for legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care
- to enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate
- to monitor use of the school's IT and communications systems in accordance with the school's IT security policy
- to make use of photographic images of pupils in school publications, on the school website and on social media channels
- for security purposes, including CCTV
- to comply with the law regarding data sharing
- to meet the statutory duties placed upon us for DfE data collections

#### **We use the parents' data:**

- to assess the quality of our services
- to comply with the law regarding data sharing
- to ensure financial stability

Under the UK General Data Protection Regulation (UK GDPR), the legal basis / bases we rely on for processing personal information for general purposes are: (6a) Consent; (6c) A Legal obligation; (6d) A duty to safeguard pupils; (6e) Public task.

Special Categories of data are set out in Article 9 of the UK General Data Protection Regulation. Penair School will work within the conditions of [GDPR - Article 9 of the UK GDPR](#): (9.2a) explicit consent; (9.2b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law; (9.2c) where processing is necessary to protect the vital interests of the data subject or of another natural person; (9.2f) for the establishment, exercise or defence of legal claims; (9.2g) reasons of substantial public interest; (9.2j) for archiving purposes in the public interest. We process criminal offence data under Article 10 of the UK GDPR.

Our Data Protection Policy highlights the conditions for processing in Schedule 1 of the Data Protection Act 2018 that we process Special Category and Criminal Offence data under.

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

For <u>all</u> pupils	Personal Information	Name, Date of Birth, Gender, Year Group, Class, Address, Contacts Dietary needs, dietary preferences Medical practice address and telephone number Medical conditions
	Characteristics	Ethnicity, language, nationality, country of birth
	Attendance Information	Sessions attended, number of absences, reasons for absence
	Academic attainment and progress records	Teacher Assessment grades Statutory assessment results Standardised score results Learning journey evidence (photographs and annotations)  Other photographic evidence of learning Reports to parents (mid-year and end of year)
	Other	Pupil Surveys Incidental evidence of pupils' successes (certificates, photographs, named trophies, celebration events)
For <u>some</u> pupils (only if applicable)	Other	Free School Meals eligibility Court Orders Other pupil premium eligibility (such as if the child is looked after) Safeguarding records (incidents, external agency reports) Special Educational needs records (professional assessments, external professionals' reports, referrals for external support) Pastoral records (referrals for support both internal and external, notes of discussions with pupils, pupils' jottings of thoughts and feelings) Exclusion information Behaviour incident records
All Parents/Carers*	Personal Information	Names, addresses, telephone numbers, email addresses, relationship to the child (of parents/carers and other given contacts) Free school meals eligibility evidence
	Other	Parents' surveys Letters sent to school Emails sent to school Financial payments, including debt (both manual and electronic)

\*this refers to those with legal responsibility for the child

### **Collecting pupil information**

We collect pupil information via registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from the previous setting. 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 and we will tell you what you need to do if you do not want to share this information with us.

### **Storing pupil data**

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on how we keep your data safe, please see our Data Protection Policy on the school website.

All confidential information is kept secure either on encrypted, password protected devices or paper copies kept on the school site. Once the deadline for retaining information has passed, data kept electronically is deleted and paper copies are destroyed in conjunction with the data retention schedule.

### **Who do we share pupil information with?**

We routinely share pupil information with the following organisations:

- Schools that the pupil attends after leaving us
- Our local authority
- The Department for Education (DfE)
- Children's Social Care (when safeguarding pupils' welfare)
- External professionals who visit school (such as Educational Psychologists)
- Suppliers and service providers with whom we have a contract
- Voluntary organisations linked to the school
- Youth support services (pupils aged 13+)

Information will be provided to those agencies securely or anonymised where possible. The recipient of the information will be bound by confidentiality obligations - we require them to respect the security of your data and to treat it in accordance with relevant legislation.

### **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 / 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.

For more information about services for young people, please visit their website:

<https://nationalcareersservice.direct.gov.uk/aboutus/Pages/default.aspx>

### **Department for Education (DfE)**

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. 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: regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls, which meet the current government security policy framework.

### **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>.

### **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>

### **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 Mrs M R Vingoe. You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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 or directly to the Information Commissioner's Office at

<https://ico.org.uk/concerns/>

### **Withdrawal of Consent and the Right to Lodge a Complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know.

### **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 on 5<sup>th</sup> March 2024.

If you would like to discuss anything in this privacy notice, please contact Mrs M R Vingoe (School Information Officer).