



Regents Park Community College

Privacy Notice – Students

Policy updated: September 2023

Policy to be reviewed: September 2024

Non-Statutory

Privacy Notice - Students

Privacy Notice (How we use pupil information)

Regents Park Community College is the Data Controller for the purposes of the General Data Protection Regulations 2018.

Introduction

This notice is to help pupils and parents/carers understand how and why we collect personal information and what we do with that information.

The notice also explains the decisions that can be made about a child's information. Parents/Carers are able to exercise their child's data protection rights on their behalf until the child is deemed mature enough to do so for themselves (usually when they reach the age of 13). When a child is considered mature enough to exercise their own data protection rights then we will take into consideration any fair request they may make.

If you have any questions about this notice please talk to the DPO (Mr J Whatley) in the first instance.

The categories of pupil information that we process 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)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors 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)
- assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Biometrics (for the purpose of cashless catering)

Why do we collect and use pupil information?

We collect and use personal information relating to pupils at Regents Park and may also receive information about them from their previous school, local authority and the Department for Education (DfE).

From 25 May 2018 we will collect and process pupil information for general and special categories under the lawful basis outlined in the General Data Protection Regulations 2018.

We collect and use pupil information for general purposes under the Article 6 lawful basis of:

- Legal obligation - to comply with the law i.e. Education Act 1996
- Public interest - to allow the school to perform a task the public interest or official function when providing education
- Vital interests - to prevent someone from being seriously harmed or killed.
- Legitimate interests - to collect and process information necessary (except when unfair to a pupil). The school has a legitimate interest in:
 - providing an education
 - safeguarding and promoting pupil welfare
 - promoting the objects and interests of the school. This includes fundraising and marketing through school website, social media and school prospectus

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- o ensuring the efficient operation of the school and that all relevant legal obligations are complied with.

We collect and use special category pupil information under the Article 9 lawful basis of:

- Substantial public interest - where processing is necessary for reasons of substantial public interest
- Vital interests - to protect a pupil where they are unable to give consent e.g. if they are seriously hurt or/and are unconscious.
- Legal claims - where processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.
- Medical purposes - This includes medical treatment and the management of healthcare services e.g. immunisations, school nurse etc.

Personal information may also be collected where consent has been given for the processing of personal data for one or more specified purposes.

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to provide career information and guidance
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us for DfE data collections

How we collect 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. We collect pupil information via registration forms at the start of the school year, Common Transfer File (CTF) or secure file transfer from previous school

How we store pupil data

We only keep your information for as long as we need it or for as long as we are required by law to keep it. We hold pupil data 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 contact the school.

Who we share pupil information with

We routinely share pupil information with:

- colleges and schools that the pupils attend after leaving us
- our local authority
- youth support services (pupils aged 13+)
- the Department for Education (DfE)
- NHS and medical professionals including School Nurse
- Selected third party software providers

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

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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.

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

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 will be shared. This right is transferred to the child / pupil once they reach the age 16. Data is securely transferred to the youth support service via DfE S2S and is stored in SIMs and held until the student reaches the age of 25.

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>

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)

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Sharing by the Department of Education

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/dfе-external-data-shares>

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

Third Party Software Providers

Data is also shared with selected third party software providers. This enables pupils to access their own learning programmes from multiple providers in and out of school. All providers are checked by the school to ensure they comply with the General Data Protection Regulations and satisfy the criteria of the DfE's guidance for Cloud software.

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, Mr J Whatley, 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
- 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 us 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: Mr J Whatley, Data Protection Officer on 023 8032 5444 - info@regentspark.southampton.sch.uk