



Learning Changes Lives

# GDPR Privacy Notice

Spring 2018

St Martin's School



If you are reading a printed version of this document you should check the school/trust website to ensure that you have the most up-to-date version.

If you would like to discuss anything in the privacy notice, please contact:

**Data Protection Officer:** Mike Ashley

**Email:** [dataofficer@prioryfields.kent.sch.uk](mailto:dataofficer@prioryfields.kent.sch.uk)

If you would like a copy of any documentation please contact the Academy Business Manager;

Academy Business Manager  
Priory Fields School  
Astor Avenue  
Dover  
Kent  
CT17 0FS



## PRIVACY NOTICE

For

*Whinless Down Academy Trust*



# Winless Down Academy Trust

## How we use pupil information

This notice explains what personal data (information) we hold about you, how we collect, how we use and how we may share information about you. We are required to give you this information under Data Protection Law.

### Who are we?

Whinless Down Academy Trust collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal information for the purposes of those laws. Our Data Protection Officer is Mike Ashley.

### The personal information we collect and use

#### **Information collected by us**

In the course of providing education we collect the following personal information when you provide it to us:

- Personal information (such as name, unique pupil number, contact details language, nationality, country of birth, and free school meal eligibility)
- Special category characteristics
  - Ethnicity
  - Language
  - Nationality
  - Country of Birth
  - Free School Meals eligibility
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information and education records, including National Curriculum assessment results
- Special Educational Needs (SEN) information
- Health and medical information (such as dietary requirements and medication details)
- Behavioural information (such as achievements, exclusions, internal exclusions and detentions)
- Safeguarding and Child Protection reports and disclosures
- Photographs and video clips

We also obtain personal information from other sources as follows:

- Personal information, special category information, assessment results and SEN information from schools that you previously attended
- Service support and involvement information from KCC teams working to improve outcomes for children and young people (such as SEND, Early Help, Free School Meals, Admissions)

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

- Support pupil learning
- Monitor and report on pupil progress
- Moderate teacher assessment judgements
- Provide appropriate pastoral care and support services
- Assess the quality of our services
- Comply with the law regarding data sharing
- Support you to decide what to do after you leave school
- Support or improve educational provision
- Ensure no children are missing education
- Support children at risk of permanent exclusion
- Support the primary, secondary and in-year admissions process
- Safeguard children and young people
- Improve the education and services we provide

## **The lawful basis on which we use this information**

- We collect and use pupil information under a task performed in the public interest where it relates to a child's educational progression and where it is a requirement of the Education Act (1996)
- Some photographs and videos are used only after gaining consent
- Where medical data is being processed, this is processed under a legal obligation (Children and Families Act 2014) which includes a duty on schools to support children with medical conditions
- Safeguarding data is processed under the legal obligation of the Education Act 2002. Sections 21 and 175 detail how governing bodies of schools must promote the wellbeing of pupils and take a view to the safeguarding of children at the school
- When information is processed in relation to the special educational needs or disabilities of staff or children, this processed under the SEN Code of Practice (2014) or the Equalities Act (2010)
- The Education Act (2002), Sections 21 and 175 details how governing bodies of schools must promote the wellbeing of pupils and take a view to the safeguarding of children at the school.
- Section 3 of the Children Act 1989 places a duty on a person with the care of a child to do all that is reasonable in the circumstances for the purpose of safeguarding the child.
- Education Act 1996, relating to attendance at school.

## **Collecting Pupil Information**

Whilst most of the 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.

## **How long your personal data will be kept**

We will hold your personal information securely and retain it from the child/young person's date of birth until they reach the age of 25, after which the information is archived or securely destroyed.

## **Storing pupil information**

We hold pupil data for the timeframes outline in the organisation's Record Retention Policy.

## **Who we share your personal information with**

- Department for Education (DfE) (statutory for school funding and educational attainment policy and monitoring) and other government agencies and local authorities as required (e.g. to resolve funding queries)
- Kent County Council teams working to improve outcomes for children and young people
- Commissioned providers of local authority services (such as education services)
- Schools or colleges that you attend after leaving us
- Whinless Down Academy Trust
- Local forums with schools and KCC representatives which support in-year fair access processes and support managed moves between schools
- Local multi-agency forums which provide SEND advice, support and guidance (such as Local Inclusion Forum Team (LIFT))
- Partner organisations signed up to the Kent & Medway Information Sharing Agreement, where necessary, which may include Police, school nurses, doctors and mental health workers and Kent Community Health NHS Foundation Trust
- Schools in our local collaboration, to enable the moderation of pupil assessment outcomes, to support collaborative working through joint analysis, and ensure children continue to receive appropriate education provision
- The school has to share information with external moderators (teachers with recent relevant experience) of end of key stage assessments, to meet statutory requirements from the Standards & Testing Agency (STA)
- Apps to enhance pupils enjoyment and learning experiences such as Athletics, Bug Club and Purple Mash,
- Contracted providers to support our statutory duties such as SEASS (attendance service), Cornerstones and ExAt (assessment tracking who adhere to the General Data Protection Regulations and who have their own privacy notice.
- Contracted providers of services (such as school photographers and catering providers) where consent has been given – Principles (Catering Contractor), Braiswick (PF), Kittle Photography (St Martin's) Van Cols (VV) (School Photographer)

We will share personal information with law enforcement or other authorities if required by applicable law.

## **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 of 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.

## **The National Pupil Database (NPD)**

The NPD is owned and managed by the DfE 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 DfE. 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 NPD, go to

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

The DfE 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 DfE 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.

## **Your Rights**

Under the GDPR you have rights which you can exercise free of charge which allow you to:

- Know what we are doing with your information and why we are doing it
- Ask to see what information we hold about you (Subject Access Requests)
- Ask us to correct any mistakes in the information we hold about you
- Object to direct marketing
- Make a complaint to the Information Commissioners Office
- Withdraw consent (if applicable)

Depending on our reason for using your information you may also be entitled to:

- Ask us to delete information we hold about you
- Have your information transferred electronically to yourself or to another organisation
- Object to decisions being made that significantly affect you
- Object to how we are using your information
- Stop us using your information in certain ways

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent us delivering a service to you.

For further information about your rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioners Office (ICO) on individuals' rights under the General Data Protection Regulation.

If you would like to exercise a right, please contact Mike Ashley Data Protection Officer - [dataofficer@poryfields.kent.sch.uk](mailto:dataofficer@poryfields.kent.sch.uk)

## **Keeping your personal information secure**

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

## **Who to Contact and Where to go for Further Information**

Please contact Mike Ashley, Data Protection Officer to exercise any of your rights, or if you have a complaint about why your information has been collected, how it has been used or how long we have kept it for.

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone 03031 231113.

For further information about how the Department for Education uses your information:

To find out more about the pupil information we share with the DfE, 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>.

For more information about the DfE'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>