Kilgarth School
Wirral

Privacy Notice (How we use pupil information)

1. 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)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Social care involvement if applicable
- Whether a child is looked after or adopted from care
- Child Protection and Safeguarding information
- Special educational needs information
- Relevant medical information
- Exclusions
- Behavioural information
- Leavers' destinations
- Whether parent or pupil has any disability which requires us to make necessary reasonable adjustments to comply with our obligations under the Equality Act 2010.

2. The lawful basis on which we use this information

We collect and use personal data relating to pupils and their families and may also receive information regarding them from their previous school, LA and/or the DfE

We only collect and use pupils' personal data relating to pupils and their families when the law allows us to as set out in Article 6 and Article 9 of the General Data Protection Regulations and UK law.

Most commonly, we process it where:

- We need it to perform an official task in the public interest (Article 6e)
- We need to comply with a legal obligation (Article 6c) eg school census returns as required by the Education Act 1996: [https://www.gov.uk/education/data-collection-and-censuses-for-schools]] and
  Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013
- We need it for reasons of substantial public interest (Article 9g)

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way (Article 6a)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

3. Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress and behaviour
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils

4. 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.

5. Storing pupil data

We hold pupil data for as long as specified by the Wirral LA document entitled: **Wirral Schools Retention and Destruction Guidance**

6. Who we share pupil information with

We routinely share pupil information with the following organisations and systems:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- our Attendance Officer
- school nurse and the NHS, including providers commissioned by the NHS
- SIMS (our management Information system which houses all the information categories detailed in point 1).
- Evolve (software which allows us to safely organise and run school trips)
- FFT Aspire (to calculate where the student should be at various points in their education and to assess ourselves.)
- paediatrician
- vocational providers (if pupils in Y10/Y11 access our Flexible Learning Programme)

7. 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 our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

8. 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

A parent or 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 our local authority website.

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 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

9. 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 [setting to include details of their administrator / 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
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact 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:

Veritau Data Protection Officer on 01904 554025