



PRIVACY NOTICE

Data Protection Act 2018: How we use student information

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
- Education / School history
- Siblings and parent/carer details
- Relevant medical information
- Special educational needs information
- Exclusions, sanctions and behavioural information
- Post 16 learning information
- Destinations of those students who leave before the normal leaving age, or mid-year
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- CCTV
- Financial data
- Photos, video and audio information

We also process special categories of personal data that in some cases include:

- Race
- Ethnic origin
- Religion
- Health (including physical and mental health)
- Sexual orientation

Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to administer transfers and admissions
- to provide appropriate pastoral care and wellbeing services
- to maintain financial records
- to assess the quality and performance of our services
- to safeguard pupils
- to comply with the law regarding data sharing
- to fulfil our statutory obligations (i.e. Health & Safety, School Census, Safeguarding, "Prevent" duty, etc.)
- to evidence work for exam boards
- to administer clubs, trips and visits
- to recognise, reward and celebrate student achievements
- to carry out and facilitate academic research
- to carry out statistical analysis
- to maintain an archive in the public interest
- to maintain home/school communication
- to carry out publicity and marketing related activities
- to facilitate and administer alumni communications
- to provision and maintain IT systems that are used in the above activities

The lawful basis on which we use this information

We collect and use pupil information under specific conditions where the relevant laws and regulations allow us to. The lawful bases we rely on to commonly process your data, as per Article 6 of the EU General Data Protection Regulation (GDPR), are:

Most commonly, we process it where:

- We need to comply with a legal obligation

- We need it to perform a Public task

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

- We have obtained consent to use it in a certain way
- We need it to fulfil a contractual obligation
- We need to protect the individual's vital interests (or someone else's interests)

We are not required to obtain or rely on consent for a number of data collection and processing activities, however, where we have obtained consent to use 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 personal data overlap, and there may be several grounds which justify our use of this data.

You have the right to withdraw consent, where given, or object to direct marketing or fundraising communications. However, the School will retain some of your details in order to ensure that no more communications are sent to you.

Special category data (GDPR Article 9), processing is deemed necessary on the following bases:

- For the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject
- To protect the vital interests of the data subject or of another natural person
- Where the data subject has given explicit consent to the processing of those data for one or more specified purposes (as specified at the time consent is sought)
- For reasons of substantial public interest

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 for the times specified in the retention schedule (pages 37 – 56) from the Information and Records Management Society's toolkit for schools (available at <https://irms.org.uk/page/SchoolsToolkit>)

Who we share pupil information with

We routinely share pupil information with the list below. We only share the minimal data required for the service to be provided and suppliers go through a vetting process in order to be cleared for processing data for a specified purpose:

- Education institutions that the pupil's attend after leaving us
- our local authority (Cornwall Council)
- the Department for Education (DfE)
- School Nurse
- NHS
- Careers service
- Team Around the Child (TAC) & Multi-Agency Professionals
- Vetted cloud service providers:
 - Show my homework (Satchel)
 - EPrise
 - FFT Aspire
 - Nationwide Retail Systems (Cashless Catering)
 - Parentmail+Pay
 - Micro Librarian
 - Kerboodle
 - Vocab Express
 - MyMaths
 - Kudos
 - Wonde
 - RM
 - Hegarty Maths
 - Doodle
 - Renaissance Learning
 - Tootoot
 - Motional
 - PIXL
 - Redstor
 - Mint Class

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.

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.

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>

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 us using the information at the bottom of this notice.

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 or request access to data, please contact Humphry Davy School Data Protection Officer, Coombe Rd, Penzance. TR18 2TG. Email DPO@humphry-davy.cornwall.sch.uk or Telephone 01736 363 559.