

## Privacy Notice – Pupil Data

### General Data Protection Regulations (GDPR) 2016

The Westcountry Schools Trust (WeST) is the Data Controller for the purposes of the GDPR regulations.

Personal data is held by Hele's School about all pupils on roll. Hele's School is a member of the Westcountry Schools Trust. Pupil data assists in the smooth running of the school and is used to inform and support pupil's learning.

This personal data includes some or all of the following:

#### **The categories of pupil information that schools collect, hold and share include:**

- Personal information (such as name, date of birth, 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 and exam results (such as the outcomes of statutory assessment arrangements, school internal assessment judgements, commercial tests and external exams i.e. NFER CATs tests, NFER Reading tests, GCSE, A level and vocational exams)
- Special Education Needs information (including, but not limited to, professional reports, supporting assessment information including screening outcomes, SEN Education Plan documentation and specific information relating to EHCP requirements)
- Medical information (including, but not limited to, details of any medical conditions i.e. allergies, details of medication required, specialist reports or guidance)
- Behaviour information (such as school detentions and exclusions)
- Biometric data required for cashless catering purposes
- Photographic images
- Information relating to safeguarding requirements

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

WeST Schools use the pupil data:

- to support pupil learning including at points of transition
- to monitor and report on pupil attendance and educational progress
- to report on children missing from education
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the statutory requirements regarding data sharing

- to provide regular information about the school population to the Department for Education
- to comply with statutory responsibilities regarding safeguarding

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

WeST Schools process pupil information under article 6 (e) of the GDPR regulations where processing is necessary for the performance of a task carried out in the public interest. In addition some pupil data is subject to extra protection under the special category condition and is processed under article 9 (g) processing is necessary for reasons of substantial pupil interest.

The submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under Section 537A of the Education Act 1996.

The transfer of records between maintained schools, including maintained special schools, is set out in the Education (Pupil Information) Regulations 2005 (amendments 2008 and 2016).

Where we use your child's photographic image for safeguarding purposes, this is processed under article 6 (e) of the GDPR regulations where processing is necessary for the performance of a task carried out in the public interest.

In all other cases, the processing of your child's photographic image will only be carried out with your consent provided under article 6 (a) where the data subject (or a person with parental responsibility if the child is under 16 years) has given consent to the processing of his or her personal data for one or more specific purposes.

<https://www.eugdpr.org/>

## **Collecting pupil information**

Whilst the majority of pupil information you provide to the school is mandatory, some of it is provided on a voluntary basis. In order to comply with the General Data Protection Regulation, the school will inform you whether you are required to provide certain pupil information or if you have a choice in this.

## **Storing pupil data**

WeST schools hold pupil data for a set period in line with the recommendations provided by the Information and Records Management Society. Please contact the Headteacher/Principal or school administrator if you would like more information about the retention periods being applied.

[Heles.school@plymouth.gov.uk](mailto:Heles.school@plymouth.gov.uk)

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

WeST Schools routinely share pupil information with:

- Westcountry Schools Trust
- schools / colleges that the pupil's attend after leaving us
- the local authority and LA approved partners
- the Department for Education (DfE)
- Approved public service partners (NHS, Police, social services)
- External providers of school systems used to support the education and well being of pupils – Capita Business Services Ltd, Scomis Ltd, Microsoft Corporation, Google Ireland Ltd, New Media Learning Ltd, Meritec Ltd, ParentPay Ltd, InVentry Ltd, CRB Cunninghams, EduKey Ltd, NetMedia Ltd, Next Steps South West, Boardworks Ltd, Educake Ltd, Seneca Learning Ltd, The Everlearner Ltd, Oxford University Press, Eedi Ltd, H Tempest Limited, Renaissance Learning UK Ltd, Autodesk Inc, The PiXL Club Ltd, Edmodo Inc, Quizlet Inc, Kahoot! AS, The Chalkface Ltd, Cambridge University Press, Exa Networks Ltd, Micro Librarian Systems Ltd, Access-it Software Ltd, Discover The World, NST Travel Group Limited

## Why we share pupil information

WeST schools do not share information about pupils with anyone without consent unless the law and policies allow us to do so.

Schools 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 schools 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 pupils reach the age of 13, schools also pass pupil information to the 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 the school. This right is transferred to the child / pupil once he/she reaches the age 16.

## **Pupils aged 16+**

Schools also share certain information about pupils aged 16+ with the 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:

- post-16 education and training providers
- youth support services
- careers advisers

For more information about services for young people, please visit the local authority website.

Devon <https://new.devon.gov.uk/help/contact-us/>

Plymouth <https://www.plymouth.gov.uk/contactus>

Cornwall <https://www.cornwall.gov.uk/council-and-democracy/contacting-the-council/>

## 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.

Schools 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 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 aged 16 or over have the right to request access to information that we hold. To make a request for your personal information, or be given access to your child's educational record, please submit your request to the data controller.

Please see contact details below to submit a Subject Access Request (SAR).

## Data subject rights

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:

[Heles.school@plymouth.gov.uk](mailto:Heles.school@plymouth.gov.uk) or

WeST Data Protection Officer: [DPO-WeST@westst.org.uk](mailto:DPO-WeST@westst.org.uk)