

Ashby School Privacy Notice - Students and Parents

(How we use student information)

Introduction

Ashby School is the data controller of the personal information you provide to us. This means that the school determines the purposes for which, and the manner in which, any personal data relating to students and their families is to be processed.

Personal information is information that identifies you as an individual and relates to you.

This notice contains the key information about how the school collects this information and what we do with this information.

This notice is to help parents and students understand our obligations and your rights under the new General Data Protection Regulations

Categories of information

The categories of student information that we collect, hold and share include the following:

- Personal information – e.g. names, unique pupil numbers and addresses
- Characteristics – e.g. ethnicity, language, nationality, country of birth and free school meal eligibility
- Relevant medical information – e.g. name of GP, relevant medical conditions
- Attendance information - e.g. sessions attended, number of absences and absence reasons
- Assessment information – e.g. assessment and examination information
- Behavioural information – e.g. number of temporary exclusions
- Information relating to SEND
- Post 16 learning information
- School history – e.g. where students go when they leave us

Why we collect and use this information

Ashby School holds the legal right to collect and use personal data relating to students and their families and we may also receive information regarding students from their previous school, LA and/or the DFE. This is collected and used for the following reasons

- To support students learning
- To monitor and report on student progress
- To provide appropriate pastoral care
- To assess the quality of our service
- To comply with the law regarding data sharing
- To safeguard students.

The admissions form gives us personal information about you. We get information from students, their teachers and other students. Your old school also give us information if we need this to teach and care for our students. Sometimes we get information from your doctor and other professionals where we need this to look after you.

We set in **Appendix 1** examples of the different ways in which we use your personal information and where that personal information comes from. We collect this information to help the Academy run properly, safely and to let others know what we do here. Please see Appendix 1 for some examples relating to you as a student:

The lawful basis on which we use this information

This section contains information about the legal basis that we are relying on when handling your information.

We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK Law, including in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of The Education (Information About Individual Pupils (England) Regulations 2013

The Academy must comply with the following conditions where it processes students' information:

Legitimate interests

This means that the processing is necessary for legitimate interests except where the processing is unfair to the student. The academy relies on legitimate interests for most of the ways in which it uses your information.

Specifically, the academy has a legitimate interest in:

- Providing a student with an education.
- Safeguarding and promoting a student's welfare and the welfare of other students.
- Promoting the objects and interests of the academy.
- Facilitating the efficient operation of the academy.
- Ensuring that all relevant legal obligations of the academy are complied with.

In addition, your personal information may be processed for the legitimate interests of others. For example we may use information when investigating a complaint made about a student; or another boarding school will have a legitimate interest in knowing if fees that are due to us have not been paid.

If you object to us using your child's information where we are relying on our legitimate interests as explained above, please speak to the Headteacher.

Legal obligation

Where the academy needs to use a student's information in order to comply with a legal obligation, for example to report a concern about a student's wellbeing to Children's Services. The Academy may also have to disclose a student's information to third parties such as courts, the LA or the police where legally obliged to do so.

Vital interests

For example, to prevent someone from being seriously harmed or killed.

Public interest

The academy considers that it is acting in the public interest when providing education.

The Academy must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

Substantial public interest

The processing is necessary for reasons of substantial public interest

Vital interest

To protect the vital interests of any person that cannot give consent, for example, if they are seriously hurt or are unconscious.

Medical purposes

This includes medical treatment and the management of healthcare services.

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 keep a student's information for as long as we need to in order to educate and look after them. We will keep certain information after a student has left the academy, for example, so that we can find out what happened if a complaint is made.

In exceptional circumstances, we may keep a student's information for a longer time than unusual, but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

Details of how long we retain student data for is detailed in our retention policy and depends on the type of data. However, in general:

- Student files – DOB + 25 years
- SEN student files – DOB + 30 years

Who we share pupil information with

We routinely share student information with:

- Schools that the students attend after leaving us
- Our local authority
- The Department for Education (DfE)
- Examination boards
- The school nurse

We also provide pupil level personal data to third party organisations which supply services to us for which the provision of data is essential for the service to be provided. Decisions on whether to release this data are subject to a robust approval process, including arrangements in place to store and handle the data. We currently provide pupil level data for the following purposes:

- Systems integral to the delivery of core business services, e.g. Bromcom, Anycomms, Learning Records Service
- Systems integral to the operation of IT Services systems, e.g. Imperio, Gladstone, Wisepay
- Curriculum Products, e.g. SAM Learning, Datasec, ALPS

A full current list is available on request

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 the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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 students reach the age of 13, we also pass student 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.

Pupils aged 16+

We will also share certain information about pupils aged 16+ with 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:

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

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

The National Pupil Database (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, please visit:

<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:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

Requesting access to your personal data and your rights

Under data protection legislation, parents and students 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 the Headteacher

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, for example, where we no longer need the information.
- Ask us to send you, or another organisation, certain types of information about you in a format that can be read by computer
- Our use of information about a student may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.
- claim compensation for damages caused by a breach of the Data Protection

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:

Jonathan Dunn
Data Protection Officer
Ashby School
Nottingham road
Ashby de la Zouch
Leicestershire LE65 1DT

Appendix 1 - Examples of the different ways in which we use personal information

- We need to tell appropriate members of staff if you are allergic to something or might need extra help with some task.
- We may need to share information about your health and wellbeing with the School Nurse or counsellor.
- We use CCTV to make sure the academy is safe. CCTV is not used in private areas such as changing rooms
- We may need to report some of your information to the government. For example, we may need to tell the local authority that you attend the academy or let them know if we have any concerns about your welfare.
- We may need information about any court orders or criminal matters which relate to you. This is so that we can safeguard your welfare and wellbeing and the other students at the academy.
- If you are from another country have to make sure that you have the right to study in the UK. We might have to provide information to UK Visas and Immigration who are part of the government.
- Depending on where you will go when you leave us we may need to provide your information to other schools, colleges and universities or potential employers. For example, we may share information about your exam results and provide references. We may need to pass on information which they need to look after you.
- When you take public examinations will need to share information about you with examination boards. For example, if you need extra time in your exams.
- We may need to share information with the police or our legal advisers if something goes wrong or to help with an inquiry. For example, if one of your classmates is injured at school or there is a burglary.
- Occasionally we may use consultants, experts and other advisors to assist the academy in fulfilling its obligations and to help run the academy properly. We might need to share your information with them if this is relevant to their work
- If you have misbehaved in a serious way, and the police have become involved, we may need to use information about the action taken by the police.
- We may share some information with our insurance company to make sure that we have the insurance cover that we need.
- We may share your academic and your behaviour records with your parents or guardians so they can support your schooling.
- We may share information about you between the schools in our partnership. For example, how well you have behaved at other schools and test results.
- We will only share your information with other people and organisations when we have a good reason to do so. In exceptional circumstances, we may need to share it more widely than we would normally.
- We will monitor your use of email, the internet and mobile electronic devices e.g. iPads. This is to check that you are complying with our behaviour code when using this technology and not putting yourself at risk of harm. If you would like more information about this, you can read the acceptable use of IT and e mail policy or speak to your tutor.
- We may use photographs or videos of you for the academy's website and social media sites or prospectus to show prospective students what we do here and to advertise the academy. We may continue to use these photographs and videos after you have left the academy
- Sometimes we use photographs and videos for teaching purposes, for example to record a drama lesson
- If you have any concerns about us using photographs or videos of you please speak to your tutor
- We publish our public examination results, sports fixtures and other news on the website and put articles in the local news to tell people what we have been doing.
- We share information about school trips that you take part in so that all the appropriate checks can be made to ensure the safety of students.
- If you are a boarding student, we will process information about you in relation to the payment of boarding fees. In some cases, we may get information from third parties such as credit reference agencies or from your previous school. We may hold information about bankruptcy petitions and statutory demands.

- We sometimes use contractors to handle personal information on our behalf. The following are examples:
 - IT consultants who might access information about you when checking the security of our IT network.
 - We use third party “cloud computing” services to store some information rather than the information being stored on hard drives located on the academy site.

If you have any concerns about the above, please speak to your tutor.