



Privacy Notice A - (How we use pupil information)

We, Halesbury School, are the data controller for the purposes of Data Protection Law.

Why do we collect and use pupil information?

We collect and use pupil information under the following Acts of parliament and associated legislation:

- The Education Act, amendments and accompanying regulations – For example; Section 537A of the 1996 Act enables the education setting to collect information to perform the Department of Education's termly census.
- Section 40(2)(a) of the Childcare Act 2006 - early years foundation stage and Section 87 of the Education Act 2002 - key stage 1 and key stage 2, enables primary age education settings to collect information for the assessing and reporting of the national curriculum.
- There are various versions of the Education Act both proceeding and following the 1996 Act that have influence on what information is required and how it is processed such as: The Education Reform Act 1988, Further and Higher Education Act 1992, Education Act 1994, School Standards and Framework Act 1998, Teaching and Higher Education Act 1998, Education Act 2002, Higher Education Act 2004, Education Act 2005, Education and Inspection Act 2006 and Education Act 2011, The Education (Pupil Information) England Regulations 2005 and associated regulations and statutory instruments.

Where appropriate we also rely on:

- The Children Act and subsequent amendments
- The Common Law Duty of Care
- Health and Safety at Work Act
- Working together to Safeguard Children Guidelines (DfE)
- Equality Act 2010
- The Disability Discrimination Act
- Special Educational Needs (SEN)
- Code of Practice Safeguarding Vulnerable Groups Act
- Limitation Act 1980

We collect and use pupil information, for the following purposes:

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



The categories of pupil information that we collect, hold and share include:

- Personal information (such as name, unique pupil number, contact details and address, relevant medical information)
- Characteristics (such as ethnicity, language, , gender, religion, date of birth, free school meal eligibility, special educational needs)
- Attendance information (such as sessions attended, number of absences and absence reasons, national curriculum assessment results, any exclusion information, where they go after they leave us).
- Assessment information (such as EYFS, Key Stage or internal academic assessment information)
- Behavioural information (such as exclusions)

For a further example of the information typically held by schools, please see the Department for Education (DfE) Common Basic Data Set, here:

<https://www.gov.uk/government/publications/common-basic-data-set-cbds-database>

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 data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

We intend to collect consent to process information for photos and school trips; please note, you have a right to withdraw consent at any time and can contact the school to do this.

If you provide us with contact details of others, for example, in case of emergency or when you may not be available please ensure that they are aware their information has been passed to the school.

We will also receive the above types of personal information, where relevant, from the previous school/nursery and may also receive information from the Local Authority (LA) and the DfE.

Storing pupil data

The information we collect, use and store about pupils and their parents/carers is retained on our computer systems and in paper files, either until it is updated/superseded or until the pupil leaves the school where it will be passed on to the receiving school in accordance with the Education (Pupil Information) England Regulations 2005. Records are retained by a Secondary school for the period of 25 years from the Date of birth of the Child. Further information on how long schools retain information can be seen in the Information Records Management Society Toolkit for schools available at this link: [School records retention periods](#).



Who do we share pupil information with?

We routinely share pupil information with:

- Relevant staff within the school
- Schools that the pupil's attend after leaving us
- Our local authority
- The Department for Education (DfE)
- Health Services
- Other services
 - o Education City
 - o Microsoft Online Services – Microsoft Office 365
 - o Parent Hub
 - o Groupcall
 - o Purple Mash
 - o CC4 access
 - o Google doc
 - o Active Learn
 - o CPOMS
 - o Integris
 - o Scratch
 - o Digital Leaders
 - o Duke of Edinburgh Award

We are committed to working with the local authority in protecting and safeguarding children and young people in the Borough. As a consequence we intend, where relevant to do so, share information with the Multi-Agency Safeguarding Hub (MASH) which is a co-located arrangement of agencies including the local authority, Police, NHS Trusts and Probation Service integrated into a multi-agency team.

The Single Point of Access Team (SPA), which is the single point of contact for safeguarding concerns, and the MASH share information appropriately and securely on children or young people in order to take timely and appropriate actions. The teams also provide information and advice across a range of child and family services.

Where a pupil/parent/carer has been involved in an accident, an Accident/Incident Report Form will be completed which will include details of the accident including information about you. This information will be passed to the Corporate Health and Safety Team at the local authority. This information will be accessed by Dudley MBC employees, who legally require access to this data, for purposes related to this incident, and may be shared with others to allow us to comply with our statutory duties.

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

What is different about 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 object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once they reach age 16.

Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under;

- The Schools Admission Code, including conducting Fair Access Panels.

Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

- Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

For more information, please see 'How Government uses your data' section.



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 John Kulyk Head Teacher Halesbury School

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
- a right to seek redress, either through the ICO, or through the courts

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Contact:

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

- Mr John Kulyk, Head Teacher of Halesbury School

How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

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>

The National Pupil Database (NPD)



The NPD is owned and managed by the Department for Education (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 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 pupil information we share with the department, 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-pupildatabase-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
- 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>

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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
- 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, you should raise your concern with us in the first instance or directly to 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 the school.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- If they are processing your personal data
- For a description of the data they hold about you
- The reasons they're holding it and any recipient it may be disclosed to
- For a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>