# GDPR Policy Template

**Privacy Notice – Pupil Information**

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| Approved by the CEO | Date: **29th January 2025** |

**Version History**

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| V22.2 October 2022Updated Nov24 | Amendments to DfE model pupil privacy notice applied within this template. |

**Amendments**

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| Nov24 | Amendments to information sharing section to include therapists and external organisations as part of the curriculum.Amendments throughout, advising that video footage may be acquired, to allow for staff professional development opportunities. |

**This template contains suggested wording to give to pupils and parents for insight into how information about pupils is used in educational settings such as; schools, alternative provision, pupil referral units and early years providers. You should review and amend this notice to reflect local needs and circumstances.**

**This template is taken from the DfE privacy notice model document.**

# Privacy Notice (How we use pupil information)

## Introduction

## Kingswode Hoe School/ SEAX Trust is the data controller for the use of personal data in this privacy notice.

## As a school we collect a significant amount of information about our pupils. This notice explains why we collect the information, how we use it, the type of information we collect and our lawful reasons to do so.

## What type of data is collected?

The DfE and government requires us to collect a large amount of data by law, so that they can monitor and support schools more widely, as well as checking on individual schools’ effectiveness.

The categories of pupil information that we process include:

* Personal information – (such as name, unique pupil number, contact details and address)
* Characteristics – (such as ethnicity, language, and free school meal eligibility)
* Safeguarding information (such as court orders and professional involvement)
* Special educational needs (including the needs and ranking)
* Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
* Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
* Assessment and attainment information (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
* Behavioural information (such as exclusions and any relevant alternative provision put in place)
* CCTV, photos and video recordings of you are also personal information

***[Settings need to add to this list other categories of pupil information that they process. These might include, for example; trips and activities, catering and free school meal management and identity management/authentication]***

This list is not exhaustive, to access the current list of categories of information we process please visit our website at **[insert website address]** or request information from the school office.

## Why do we collect data?

We collect and use pupil data for the following purposes:

* To support pupil learning
* To monitor and report on pupil attainment progress
* To provide appropriate pastoral care
* To assess the quality of our services and for staff development purposes
* To keep children safe (e.g. food allergies, emergency contact details)
* To meet the statutory duties placed upon us for the Department of Education (DfE) data collections
* To fulfil our statutory obligations to safeguard and protect children and vulnerable people
* To enable targeted, personalised learning for pupils
* To manage behaviour and effective discipline
* To comply with our legal obligations to share data
* To keep pupils, parents and carers informed about school events and school news

## Our Legal Obligations

We must make sure that information we collect and use about pupils is in line with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual, we must have a legal basis to do so.

The lawful basis for schools to collect information comes from a variety of sources, such as the Education Act 1996, Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013, Article 6 and Article 9 of the UK GDPR.

The Department for Education and Local Authorities require us to collect certain information and report back to them. This is called a ‘public task’ and is recognised in law as it is necessary to provide the information.

We also have obligations to collect data about children who are at risk of suffering harm, and to share that with other agencies who have a responsibility to safeguard children, such as the police and social care.

We also share information about pupils who may need or have an Education Health and Care Plan (or Statement of Special Educational Needs). Medical teams have access to some information about pupils, either by agreement or because the law says we must share that information, for example school nurses may visit the school.

Counselling services, careers services, occupational therapists are the type of people we will share information, so long as we have consent or are required by law to do so.

We must keep up to date information about parents and carers for emergency contacts.

**Collecting pupil information**

We collect pupil information via ***[explain method of data collection used, for example registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from previous school]***

Pupil data is essential for the schools’ operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it is requested 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.

From time to time, we may also collect and use video footage of pupil and staff interactions, in order to assess the quality of our teaching and learning, in order to inform professional development opportunities and to share good practice within and between Trust provisions. Any such footage is always collected and stored in line with our Data Protection and Retention Policies and filming conforms to strict guidelines.

## Storing pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit our website at: ***[link to website]*** or request a copy of the Trust’s Records Management policy/Retention Schedule, which is available from the school office.

***[Settings should explain or reference the appropriate data retention documents that show where data is held, the security arrangements (high level), and policies about safe use of data within the setting. Ideally, this section should link to policies that are easily accessible and regularly reviewed].***

## Who we share pupil information with

We routinely share pupil information with:

* schools that the pupil’s attend after leaving us
* our local authority
* the Department for Education (DfE)
* youth support services (pupils aged 13+)
* certain checked and verified external organisations, as part of the curriculum
* therapists, where specific provision is made by therapists to support individual pupils
* with selected staff in the pupil’s current provision and in other SEAX Trust provisions, as a means of providing professional development opportunities

***[Settings need to amend and extend this list to include all other parties with whom they regularly share pupil information. Examples include, academy chains, federations or Multi Academy Trusts (MATs), school nurse, NHS.]***

## Why we regularly 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.***[Setting to explain why they share data and insert any relevant legislation for sharing it with those named in ‘Who we share pupil information with’ section. It is also useful to state how the data is transferred and link to any data retention policies where available]***

## Youth support services

### Pupils aged 13+ *[For use by educational settings with students aged 13+ where relevant:]*

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

The information shared is limited to the child’s name, address and date of birth. However where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child / pupil once they reach the age 16.

Data is securely transferred to the youth support service via ***[insert method used]*** and is stored ***[insert storage]*** and held for ***[insert data retention period]***.

### Pupils aged 16+ *[For use by educational settings with students aged 16+ where relevant:]*

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

Data is securely transferred to the youth support service via ***[insert method used]*** and is stored ***[insert storage]*** and held for ***[insert data retention period]***.

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

**Department for Education (DfE)**

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:

***[Setting to insert relevant legislation for their sharing of pupil information with the Department for Education (DfE). See relevant legislation for each specific*** [***data collection***](https://www.gov.uk/education/data-collection-and-censuses-for-schools) ***you complete]***

***Examples for school census:***

***[For use by maintained schools only:]*** We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) as part of the school census return under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

***[For use by academies and free schools only:]*** We are required to share information about our pupils with the (DfE) as part of the school census return under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

***[For use by pupil referral units only:]*** We are required to pass information about our pupils to the Department for Education (DfE) as part of the school census return under regulation 4 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls, which meet the current [government security policy framework](https://www.gov.uk/government/publications/security-policy-framework).

For more information, please see ‘How Government Uses Your Data’ section of this privacy notice.

## 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

***[setting to include contact details of their administrator Data Protection Lead]***

Or the Trust’s Data Protection Officer:

SBM Services (uk) Ltd, 12 Park Lane Business Centre, Park Lane, Langham, Colchester, Essex CO4 5WR Telephone: 01206 671103

You also have the right to:

* to ask us for access to information about you that we hold
* to have your personal data rectified, if it is inaccurate or incomplete
* to request the deletion or removal of personal data where there is no compelling reason for its continued processing
* to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
* to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
* not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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 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 Department for Education (DfE), please see the ‘How Government uses your data’ section of this notice.

## Withdrawal of consent and the right to lodge a complaint

***[For use where consent is the lawful basis. Therefore, where consent is NOT used, this section will need to be deleted]***

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting ***[Insert name and contact details of the appropriate school employee]***.

## Last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated in January 2023.

# Contact

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

***[Setting to insert name / contact details of its GDPR administrator]***

Or the Trust’s Data Protection Officer:

SBM Services (uk) Ltd, 12 Park Lane Business Centre, Park Lane, Langham, Colchester, Essex CO4 5WR Telephone: 01206 671103

**More information about Data Protection and our Policies**

How we manage the data and our responsibilities to look after and share data is explained in our Data Protection policy and connected policies which are also available on our website.

## How Government uses your data

The pupil data that we lawfully share with the Department for Education (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)

Much of the data about pupils in England goes on to be held in 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 for Education (DfE).

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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

**Sharing by the Department for Education (DfE)**

The law allows the Department for Education (DfE) to share pupils’ personal data with certain third parties, including:

* schools and local authorities
* researchers
* organisations connected with promoting the education or wellbeing of children in England
* other government departments and agencies
* organisations fighting or identifying crime

For more information about the Department for Education’s (DfE) NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

**How to find out what personal information the Department for Education (DfE) holds about you**

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

* 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 for Education (DfE), you should make a ‘subject access request’. Further information on how to do this can be found within the Department for Education’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 Department for Education (DfE): <https://www.gov.uk/contact-dfe>