

Privacy Notice for Parents/Carers (How we use pupil information)

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about pupils.

We, Wightwick Hall School, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Mr Tony Dooley.

The categories of pupil information that we collect, hold and share include (but is not restricted to):

- Personal information (such as name, unique pupil number and address) and curricular records
- Contact details, contact preferences, date of birth, identification documents
- 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; results of internal assessments and externally set tests
- Medical information
- SEN information; details of support received, including care packages, plans and support providers
- Exclusions
- Behavioural information
- Safeguarding information
- Photographs
- Post 16 learning information

We may also hold data that we have received from other organisations, including other schools, local authorities and the Department for Education.

Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to protect pupil welfare
- to carry out research
- to comply with the law regarding data sharing

The lawful basis on which we use this information

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- we need to comply with a legal obligation
- we need it to perform an official task in the public interest

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

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

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.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 pupils' personal data overlap and there may be several grounds which justify our use of this data.

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. If it is mandatory, we will explain the possible consequences of not complying.

Storing pupil data

We hold information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our record retention schedule sets out how long we keep information about pupils, which is date of birth plus twenty five years.

You are able to request a copy of our record retention schedule by contacting the school on 01902 761889.

Who we share pupil information with

We do-not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required or necessary (and it complies with data protection law) we may share personal information about pupils with:

- schools that the pupils attend after leaving us
- our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- the Department for Education (DfE) - 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.
- the pupil's family and representatives
- educators and examining bodies
- our regulator - Ofsted
- service providers – to enable them to provide the service we have contracted them for
- financial organisations
- central and local government

- our auditors
- health authorities
- health and social welfare organisations
- professional advisors and consultants
- charities and voluntary organisations
- police forces, courts, tribunals
- professional bodies

Youth support services

Pupils aged 13+

Once our pupils reach the age of 13, we are legally required to pass on certain information to our local authority and/or provider of youth support services as they have legal responsibilities in relation to the education or training of 13-19 year olds.

This enables them to provide services as follows:

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

A parent or guardian, or a pupil once aged 16 or over, can contact our data protection officer to request that we **only** pass on the individual's name, address and date of birth to their local authority or provider of youth support services.

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

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 exam boards.

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. Some of this information is then stored in the NPD.

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>

Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to make a '**subject access request**' to gain access to personal information that we hold about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- give you a description of it
- tell you why we are holding and processing it and how long we will keep it for
- explain where we got it from, if not from you or your child
- tell you who it has been, or will be, shared with
- let you know whether any automated decision-making is being applied to the data and any consequences of this
- give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

To make a request for your personal information, or be given access to your child's educational record, contact our data protection officer.

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 (by a computer or machine, rather than a person)
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed, or restrict processing
- claim compensation for damages caused by a breach of the Data Protection regulations

To exercise any of these rights, please contact our data protection officer.

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other 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 make a complaint to the Information Commissioner's Office:

- report a concern online at <https://ico.org.uk/concerns/>
- call 0303 123 1113
- or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact

If you would like to discuss anything in this privacy notice, please contact our data protection officer:

Mr Tony Dooley on 01902 761889