



<b>Last reviewed on:</b>	10/12/2020
<b>Next review due by:</b>	09/12/2021

## **Privacy Notice for Pupils**

Sheffield South East Trust is the data controller for pupil information.

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

- Personal information (such as name, unique pupil number, contact details and address)
- Special categories of data including 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 and enrolment data, including from former schools
- Medical information
- Information relating to Special Educational Needs
- Safeguarding or child protection information generated by ourselves or other agencies
- Exclusions and behavioural information
- Pupil images
- CCTV footage

Please note this list is not exhaustive, however, all categories of information stored within school are stored in our data asset register.

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

The personal data collected is essential, in order for the school to fulfil its official functions and meet legal requirements.

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

- to support pupil learning
- to monitor and report on pupil progress
- to communicate with parents/carers
- to help us to keep children safe
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

Sheffield South East Trust collects and uses pupil information under the following articles of the General Data Protection Regulation (GDPR).

### **Article 6:**

Processing shall be lawful only if and to the extent that at least one of the following applies:

6 (1) a. The data subject has given consent to the processing of his or her personal data for one or more specific purposes;

6 (1) e. Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller.

#### **Article 9:**

With regards to the processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited except:

9 (2) a. Where we have explicit consent of the data subject.

Under the GDPR, consent is defined as: "any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative actions, signifies agreement to the processing of personal data relating to him or her."

#### **Collecting pupil information**

Pupil data is essential for the school's operational use. 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 at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

#### **Storing pupil data**

We hold pupil data securely for as long as is necessary for the purpose for which it is collected. In some cases, this is after the child has left the school e.g. child protection records may be kept beyond the age of 25 on a case by case basis as per 'Keeping Children Safe in Education Statutory Guidance for Schools and Colleges' and 'Working together to Safeguard Children' regulations.

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

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- Sheffield City Council
- the Department for Education (DfE)
- medical and other agencies in line with the requirements of the 'Working Together to Safeguard Children' regulations

#### **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 are required, by law, to pass on some personal pupil data.

We share pupils' data with Sheffield City Council and the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

#### **Department for Education**

The Department for Education (DfE) collects personal data from educational settings and local authorities. 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 regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current government security policy framework.

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. This is called a 'Subject Access Request' (SAR). To make a request for your personal information, or be given access to your child's educational record, please contact our Data Protection Officer.

Under certain circumstances, 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

Upon receipt of a Subject Access Request, Sheffield South East Trust will:

- respond to acknowledge receipt of your request;
- request proof of identify of the person making the request;
- inform you as to whether there are any statutory reasons why we may be unable to respond to your request;
- act in accordance with the GDPR in terms of our actions in response to your request, and with due regard to the timescales set out in the GDPR.

If you have a concern about the way we are collecting or using your personal data, we ask 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 the Data Protection Officer.

## **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 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, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

### **Sharing by the Department**

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- 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's 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 DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department 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>

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