

## Privacy Notice (How we use student information)

When your child starts at school and, as they continue to progress through the education system, we ask for and collect data in order to fulfil certain legal obligations and to support your child with their education, as well as their personal and social development. We take our responsibilities in this respect very seriously and your data is only shared with outside authorities where we are either legally required to do so, or to inform other agencies who are also involved in supporting your child whilst at school. There may also be times where medical information needs to be shared in the event of an emergency.

The purpose of this Privacy Notice is to inform you about the data we hold, who we share it with, why we share it and how long we retain it all. We are also, by law, required to advise you of the 'lawful basis/bases' under which we collect and process the data, as defined by the 'General Data Protection Regulations Act (GDPR)'. Below you will find a general outline of the data we hold but more detailed information can be found in our audit document on the school website or alternatively, you can obtain a hard copy from the school office.

***You can also find out more information about that by visiting our school website.***

The data that we collect about your child is defined by the GDPR as 'personal data' and in some cases is also called 'special category data', data which is perceived as being more sensitive (e.g. data on ethnicity and religion as well as medical data).

**The categories of student information that we collect, hold and share for all students include:**

- **Personal information** (such as name, unique student number and address)
- **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 and any exclusions
- **Special educational needs information**
- **Educational Information:** such as School Reports, Assessment data, exams & test results, Predicted, Tracking & Mock Grade.
- **Medical information:** such as allergies, medical conditions, disabilities, physical and mental developmental difficulties, doctor's contact details
- **Post 16 learning information**

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

We use the student data:

- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard students
- to support the work of other external organisations involved in the support of your child

In addition, throughout the school year we also take photograph and videos of students which are used:

- for displays around the school
- within our school prospectus and on our school website

- reports for sporting events, school plays or other purposes within school publications and the general media

### The lawful basis on which we use this information

We collect and use 'personal data' under the following 'lawful bases', as defined within the GDPRs:

- to fulfil our duties as a public authority, which is defined as our '**public task**'
- in order to ensure that we provide your child with the right level of support in order for them to progress well during their time at school, which is defined as our '**legitimate interest**'
- in the case of an emergency where your child might be in need of medical help and we are unable to contact you, which is defined as their '**vital interest**'

We collect and use 'special categories of personal data' under the following 'lawful bases' as defined within the GDPR:

- Article 9(2)(a): where you have understood the reason for us requesting the data and have given your consent to us doing so for the purpose specified
- Article 9(2)(b): where processing is necessary for the purposes of carrying out the obligations in the area of social protection law
- Article 9(2)(c): that processing is necessary to protect the vital interests of your child or of another person where you or your child are physically or legally unable to give consent.
- Article 9(2)(d): that processing is carried out in the course of our legitimate activities, with appropriate safeguards

**For the taking and use of photographs and/or videos of students our lawful basis as defined within the GDPR is 'consent'.** We will write to you when your child starts at our school to ask for your consent and will supply you with more detail.

### Collecting student information

Whilst the majority of student 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 student information to us or if you have a choice in this.

### Storing student data

We hold the majority of student data for the time that your child remains at our school. When the transfer to another primary school and/or on to a secondary school, their data is also transferred. Their final school will hold the majority of student data (contained within their individual student files) until they reach the age of 25. Some data is held for a shorter period of time and is thereafter destroyed. More detailed information can be found on our website or by asking at the school office.

### Who we share student information with

We routinely share student information with:

- Wiltshire Council.
- The Department for Education.
- Awarding Bodies.
- Other educational establishments that students attend after leaving us.
- Other educational establishments that students attend while on roll with us.

- Providers of educational & communication software purchased by the school e.g. Show My Homework, Parent Pay, School Gateway.
- External organisations used by the school to support performance evaluation e.g. Fisher Family Trust, SISRA, ALPS.
- Wiltshire/school nursing team– and other health providers such as CAMHS and Paediatricians.
- Statutory services where there is a legal obligation to share information e.g. police, social services.
- Providers of educational trips and visits where student information is required for the trip to go ahead.
- Organisations used by the school to provide support services to students e.g. mentoring, careers, voluntary sector support services such as Wiltshire Youth Adventure Trust and other third sector support services.

### **Why we share student information**

We do not share information about our students with anyone without consent unless the law and our policies allow us to do so.

We share students' 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 students with the (DfE) under regulation 5 of The Education (Information about Individual Students) (England) Regulations 2013.

To meet our statutory duty to create and maintain an admission register under the Education (Student Registration) (England) Regulations 2006 and subsequent amendments, without which schools are unable to enrol a student.

We also need to share student data to Support teaching and learning. In order to facilitate this, we share information with the software supplier (listed above) to set up the systems needed for students and parent/carers to access, monitor and report on academic progress, for example

*In addition, if your child joins our school from another school, their individual pupil files will be transferred with them and similarly, when your child leaves our school to attend another school (either primary or secondary) their individual pupil files will be transferred with them, including information regarding any special educational needs they might have, contact with external agencies and/or child protection files.*

### **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, Students aged 13+**

Once our 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 / student once he/she reaches the age 16.

### **Students aged 16+**

We will also share certain information about students 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.

### **Students aged 14+ qualifications**

For students enrolling for post 14 qualifications, the Learning Records Service will give us a student's unique learner number (ULN) and may also give us details about the student's learning or qualifications

### **The National Student Database (NPD)**

The NPD is owned and managed by the Department for Education and contains information about students 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 students 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 Students) (England) Regulations 2013.

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

The department may share information about our students 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 student 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 student information, (and for which project), please visit the following website:

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

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

### **Requesting access to your personal data**

Parents and students have the following rights in relation to the processing of their personal data.

You have the right to:

- Be informed about how The John of Gaunt School uses your personal data.
- Request access to the personal data that The John of Gaunt School holds.
- Request that your personal data is amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling reason for its continued processing.
- Request that the processing of your data is restricted.

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time

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: **Mrs D Cottle**

[dcottle@jogschool.org](mailto:dcottle@jogschool.org)

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following websites:

<http://www.wiltshire.gov.uk/privacy>

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

If you are unable to access these websites, we can send you a copy of this information. Please contact the LA or DfE as follows:

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| <ul style="list-style-type: none"><li>• Pip Rabbitts<br/>Data and Information Sharing<br/>Manager<br/>Wiltshire Council<br/>Bythesea Road<br/>Trowbridge<br/>BA14 8JN<br/>email: <a href="mailto:pip.rabbitts@wiltshire.gov.uk">pip.rabbitts@wiltshire.gov.uk</a><br/>Telephone: 01225 713091</li></ul> | <ul style="list-style-type: none"><li>• Public Communications Unit<br/>Department for Education<br/>Sanctuary Buildings<br/>Great Smith Street<br/>London<br/>SW1P 3BT<br/><a href="http://www.education.gov.uk/help/contactus">http://www.education.gov.uk/help/contactus</a><br/>Telephone: 0370 000 2288</li></ul> |
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