

WEST DERBY SCHOOL



PUPIL PRIVACY NOTICE

This policy will be reviewed	Annually
Previously reviewed on	22 March 2023
Approved on:	27 March 2024
Next review date:	31 st March 2025
Signed:	S Graham (Headteacher)
Signed:	R Smith (On behalf of the Trust Board)

Privacy Notice (How we use pupil information)

We, West Derby School are a Controller for the purposes of the United Kingdom General Data Protection Regulations (UK GDPR) and the Data Protection Act 2018. This means that we are responsible for deciding what personal information we gather and how we hold and use it. We are a single academy trust and are registered with the Information Commissioner with Reg. No. ZA140863.

This notice should be read in conjunction with our Data Privacy Policy which contains more generalised information about our data protection procedures.

This notice applies to all pupils aged 13 and over. Parents and pupils under 13 must refer to our Parent Privacy Statement.

Contact

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

Mr T Card, Data Protection Officer either by telephone on 0151 235 1300 or by email to a.card@westderbyschool.co.uk .

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

- Personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment and attainment information (such as key stage test results, post 16 courses enrolled for and any relevant results)
- Special educational needs information
- Information on trips and activities
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Identity management/authentication
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Information on children who are young carers in order to ensure any additional, available support is provided
- Post 16 learning information
- Biometric data in the form of finger scans in order to use our cashless catering services (see our separate policy on the use of biometric data in school)
- Images, and occasionally video footage, for internal identification, monitoring of teaching and learning in conjunction with Teach First, and for use on our website/official social media

Why we collect and use pupil information

We collect and use pupil data 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
- to keep children safe (food allergies, or emergency contact details)
- to deliver provision as set out in an education health and care plan
- to assess special educational needs
- to enter pupils for examinations
- to monitor welfare and keep records of safeguarding concerns
- to meet the statutory duties placed upon us for the Department for Education data collections

The lawful basis on which we use this information

We collect and use pupil information under Article 6 of the UK GDPR. These Articles set out the lawful reasons that we can process pupil data. We rely on the following for the vast majority of the processing we undertake:

- Article 6.1a - consent: we seek and rely on consent in very limited circumstances which include processing pupil images on our website, school prospectus and social media.
- Article 6.1c – processing is necessary for compliance with a legal obligation to which West Derby School is the subject - which includes collecting information on admissions, keeping attendance records, recording and reviewing exclusions; sharing with statutory bodies and preparing and retaining safeguarding records;
- Article 6.1e – processing is necessary for the performance of a task carried out in the public interest: this covers when we monitor pupil performance within the curriculum; share information about pupils with the local authority to allow them to provide youth support services; keep parents advised of progress or concerns about pupils; and to promote performance and achievement and with other Controllers such as Teach First in order to best support pupils through monitoring of attainment against attendance;

We also process special categories of personal data which includes health information, sexual orientation, religious/philosophical beliefs and ethnic origin. When processing this information we need to rely on a condition under Article 9 of the UK GDPR, along with further conditions as set out under Schedule 1 of the Data Protection Act 2018. For the majority of pupil data we process we rely on the following conditions:

- Article 9.2g – processing is necessary for reasons of substantial public interest: this includes meeting needs for SEN and disabilities, sharing information for welfare and safeguarding concerns, processing individual health care plans and dealing with matters raised through pastoral care;
- Article 9.2a - explicit consent: we will rely on this to process finger prints in our cashless catering services.

- We process criminal offence data and some special category data in accordance with the conditions set out in Schedule 1 Data Protection Act 2018. For more information see our policy on UK GDPR and data protection. The conditions include, but are not limited to:
 - For the purpose of employment, social security and social protection law
 - Consent
 - Counselling
 - Preventing and detecting an unlawful act
 - Safeguarding children
 - Preventing fraud
 - Equality of opportunity or treatment

Collecting pupil information

We collect pupil information via data collection forms when a child accepts a place at our school; from Common Transfer files or secure transfer files from a child's previous school; and from CPOMS when a child's previous school has used this electronic information platform.

Who we share pupil information with

We do not share your information with anyone without consent unless the law and (if applicable) our policies allow us to do so. However, we routinely share pupil information with other Controllers including:

- schools that the pupils attend after leaving us
- alternative education provision establishments for pupils who are educated off site
- our local authority – Liverpool City Council
- the Department for Education (DfE)
- Shaping Futures (in partnership with University of Liverpool as part of the Uni Connect)
- Shaping Futures (in partnership with LJMU, Edge Hill University and Thrive [Discover Your Potential])
- Teach First through academic mentors engaged by West Derby School for the purpose of linking levels of an individual pupil's attainment with their attendance record
- School Nursing Team
- NHS professionals including CAMHs
- Exam boards
- Ofsted
- Professional advisors including solicitors and educational consultants
- WONDE (for secure transfer of data between the school's management information system and other controllers such as the DfE)

The Processors that we share personal data include:

- Our e-mail system which is hosted by a third party
- Our IT network which is hosted by a third party including cloud storage
- SIMS (by Capita) which collects and stores pupil contact and attendance information
- Satchel: One (for homework*/remote learning/attendance updates for parents)(*this may occasionally include audio and video clips of a pupil's oracy work and will only be shared between the pupil and his teacher)

- MathsWatch (for homework/remote learning)
- Seneca (for homework/remote learning)
- SISRA (for assessment and monitoring of pupil progress)
- GCSE Pod (for homework/remote learning)
- Kerboodle (for homework/remote learning)
- Moodle (for homework/remote learning)
- Unifrog (for careers, further and higher education information)
- Braisewick Photography (for pupil photographs)
- CPOMS (a Safeguarding and Child Protection Software for Schools)
- Reach More Parents (formerly known as WEDUC) (school to parent/carer communication)
- Shaping Futures (in partnership with University of Liverpool as part of the Uni Connect)
- Shaping Futures (in partnership with LJMU, Edge Hill University and Thrive [Discover Your Potential])
- LJMU (Access All Areas)
- Elevate Education Business Partnership (Work Experience)
- Teach First (for monitoring of teaching and learning)
- GL Assessments (for cognitive learning assessment)
- WONDE (for secure transfer of data between the school's management information system and other controllers such as the DfE)

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 also share information with third parties that we engage to help us to process personal data. These third parties are known as Processors under the UK GDPR and DPA 2018. When we engage Processors they act under our instruction and may only use the personal data we share with them pursuant to a contractual agreement we have with them or when the law permits them.

Youth support services

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 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 / pupil once he reaches the age 16.

Data is securely transferred to the youth support service via secure email. It is stored in a secure database accessed by username and password and held for a period of 25 years from date of birth (or 31 years from date of birth for a pupil with an EHCP).

Pupils aged 16+

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 secure email. It is stored in a secure database accessed by username and password and held for a period of 25 years from date of birth (or 31 years from date of birth for a pupil with an EHCP).

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 regulation 5 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.

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

Requesting access to your personal data

Under data protection legislation, parents (of pupils aged 12 and under) and pupils (aged 13 and over) 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 Mr T Card, the school's 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
- ask us to rectify personal information you think is inaccurate or to ask us to complete information
- ask us to erase your personal information in certain circumstances (where there is no compelling reason for its continued processing)
- ask that we transfer the personal information we hold about you to another organisation
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and

- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- complain to the Information Commissioner's Office or seek judicial remedy in certain circumstances

You are not required to pay any charge for exercising your rights. If you make a request we must respond in one month. In the case of subject access requests, if the request is complex or numerous the School has the right to determine that up to a further 2 months is required to respond.

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/>

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

Changes to your personal data

It is important that the Personal Data we hold about you is accurate and current. Please keep us informed if your personal information changes during your time with us.

Withdrawal of consent and the right to lodge a complaint

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 our DPO whose details are at the beginning of this notice.

Storing pupil data

We hold pupil files for 25 years from the pupil's date of birth. This includes behaviour records, attendance information and performance in the curriculum and exams. We do not keep all information collected for this period. We rely on the guidance provided by the Department for Education and the Information and Records Management Society. Please see the school's Data Retention Policy, available upon request from V.McGarry (v.mcgarry@westderbyschool.co.uk or 0151 235 1300)

For a copy of the school's Data Privacy Policies, please visit www.westderbyschool.org

Changes to this data privacy statement

We keep our practices and policies regarding the collection, Processing and security of Personal Data under continual review and may update them from time to time. We therefore reserve the right to change this Data Privacy Statement at any time. We will notify you of any changes made at the appropriate time and may re-issue a new Data Privacy Statement if appropriate.

How Government uses your data

The pupil data that we lawfully share with the 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 (DfE) (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-mpd-privacy-notice/national-pupil-database-mpd-privacy-notice>

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 (DfE) 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 the Department for Education (DfE): <https://www.gov.uk/contact-dfe>