**Brook Green**



**Centre for Learning**

**Privacy Notice (How we use pupil information)**

**Why do we collect and use student information?**

We collect and use the student information for the following purposes:

* to support student learning
* to monitor and report on student attainment progress
* to provide appropriate pastoral care
* to assess the quality of our services
* to keep children safe (food allergies or emergency contact details)
* to meet statutory duties placed upon up for DfE data collections

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

* Personal information (such as name, unique pupil number 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 and absence reasons)
* Assessment and attainment information (KS results and relevant results)
* Special Educational Needs information (including the needs and ranking)
* Medical and administration (doctor information, child health, dental health, allergies, medication and dietary requirements)
* Behavioural information (exclusions and any relevant alternative provision put in place)

## The lawful basis on which we rely on for processing pupil information

Under the General Data Protection Regulation (GDPR) the lawful bases we rely on for processing pupil information are:

* Public tasks – collecting the data is necessary to perform tasks that the school is required to perform as part of their statutory function
* Vital interests – to keep children safe
* Legal obligation – data collected for DfE census information.

In addition, concerning any special category data the conditions for collection are:

* processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject;
* processing is necessary to protect the vital interests of the data subject
* processing is carried out in the course of legitimate activities with appropriate safeguards

**Collecting pupil information**

We obtain pupil information via registration forms and data collection forms at the start of each academic year. In addition, when a child joins us from another school we are sent a secure file containing relevant information.

Student data is essential for the schools’ operational use. 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 GDPR we will inform you at the point of collection, whether you are required to provide certain student information to us or if you have a choice in this.

**Storing pupil data**

We hold student data securely for 9 years until the student reaches the age of 25.

**Who do we share student information with**

We routinely share student information with:

* schools/colleges/Post 16 providers that the student’s attend after leaving us
* our local authority
* the Department for Education (DfE)
* the NHS/school nurse
* Social Care
* Youth services
* Alternative education providers
* Police/Ambulance service

## Why we routinely share pupil information

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

## 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

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 he/she reaches the age 16.

**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

**Department for Education**

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 our local authority (LA) and the Department for Education (DfE) under:

* section 537A of the Education Act 1996
* the Education Act 1996 s29(3)
* the Education (School Performance Information)(England) Regulations 2007
* regulations 5 and 8 School Information (England) Regulations 2008
* the Education (Pupil Registration)(England) (Amendment) 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.

**Requesting access to your personal data**

Under GDPR, parents and students 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 the Headteacher in writing at the school address.

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
* a right to seek redress, either through the ICO or through the courts

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to 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 Headteacher at Brook Green Centre for Learning.

**How Government uses your data**

The student 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 (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 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.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-andsupporting-information>.

**Sharing**

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