

Privacy Notice (How we use pupil information)

As a school we take our responsibilities as a data controller seriously and are committed to using personal data we hold in accordance with the law.

This privacy notice sets out how we process personal data. Please read it carefully and if you have any questions regarding your personal data or its use please contact the Governance Manager or Chief Privacy Officer by email on privacy@droitwichspahigh.worcs.sch.uk or using the telephone number shown above, or by post to the address shown above.

The rights under Data Protection legislation belong to the individual to whom the data relates. However, we will often rely on parental consent to process personal data relating to pupils (if consent is required) unless, given the nature of the processing in question, and the pupil's age and understanding, it is more appropriate to rely on the pupil's consent.

Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law and all the circumstances. In general, we will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parents, e.g. for the purposes of keeping parents informed about the pupil's activities, progress and behaviour, and in the interests of the pupil's welfare, unless, in the school's opinion, there is a good reason to do otherwise. However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, we may be under an obligation to maintain confidentiality unless, in our opinion, there is a good reason to do otherwise; for example where the school believes disclosure will be in the best interests of the pupil or other pupils, or is required by law.

Pupils over the age of 13 years can make subject access requests for their own personal data, however we will seek parental consent to such requests. A person with parental responsibility will generally be entitled to make a subject access request on behalf of pupils, but the information in question is always considered to be the child's by law. A pupil of any age may ask a parent or other representative to make a subject access request on their behalf.

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

We process personal data about prospective, current and past pupils and their parents and/or carers. The personal data we process takes different forms, it may be factual information, expressions of opinion, images or other recorded information which identifies or relates to a living individual. These include:

- Personal information (such as name, unique pupil number, e-mail address, telephone number and address)
- Parent and/or carer details including names, e-mail addresses, telephone numbers and addresses
- 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)



- Medical information
- Special educational needs information
- Information regarding exclusions
- Behavioural information
- Post 16 learning information
- Biometric data
- CCTV images, audio and video recordings

Why we collect and use this information

We use the pupil data:

- to support pupil learning including the administration of the school curriculum and timetable; monitoring pupil progress and educational needs; reporting on the same internally and to parents; administration of pupils' entries to public examinations, reporting upon and publishing the results; providing references for pupils (including after a pupil has left);
- to assess the quality of our services
- to comply with the law regarding data sharing
- the safeguarding of our pupils welfare and the provision of pastoral care
- the preparation of information for inspections by OFSTED and the submission of annual census information to the Department of Education
- the promotion of the school through its own website, prospectus and publications including through our social media channels
- biometric data to facilitate access to catering arrangements in the school

The lawful basis on which we use this information

We collect and use pupil information:

- To allow the school to effectively carry out its duties under the Education Act 1996. In particular the requirement under section 537a of the Education Act 1996 to provide individual pupil information to the Department of Education as required.
- To ensure the wellbeing and safety of pupils in line with keeping Children Safe in Education statutory guidance with reference to Section 175 of the Education Act 2002.
- School Attendance and Parental Responsibility Measures statutory guidance
- Education and Inspections Act 2006, The children's Act 2004 (section 12, 14B, 54)
- SEND code of practise relating to part 3 of the Children and Families Act 2014
- Supporting pupils with medical conditions at school guidance relating to section 100 of the Children and Families Act 2014

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.

Protecting student data

We are aware of the requirement to ensure data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such. Please refer to our Data Protection, Data Breach and Retention Policies for more details, these can be found on our Website at www.droitwichspahigh.worcs.sch.uk

Where we share your data with third parties, we provide written instructions to them to ensure that your data are held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

How long we keep your data for

In line with data protection principles, we only keep data for as long as we need it for. Retention periods can vary depending on why we need your data and are set out in our Data Retention Policy and Retention Schedule which is available on the school web site and school portal.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)
- School Nurse
- Local Education Authority (Worcestershire County Council)

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 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.

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

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/she reaches the age 16.

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

For more information about services for young people, please visit our local authority website at <http://www.worcestershire.gov.uk/>.

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>.

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>

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

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:

Performance Development Team
Worcestershire County Council
Children's Services
County Hall
Worcestershire County Council
WR5 2YA
Email: dprice@worcestershire.gov.uk
Telephone: 01905 728848

Public Communications Unit Department for Education Sanctuary Buildings Great Smith Street
London SW1P 3BT

Website: www.education.gov.uk

email: <http://www.education.gov.uk/help/contactus> Telephone: 0370 000 2288

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

The School's Data Protection Officer is the *Governance Manager* who can be contacted at Droitwich Spa High School and Sixth Form Centre, Briar Mill, Droitwich, WR9 0AA or by email at privacy@droitwichspahigh.worcs.sch.uk.

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

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/>

Summer 2020 Exam Awards

The **Office of Qualifications and Examinations Regulation (Ofqual)** regulates qualifications, examinations and assessments in England.

Due to the unique and unprecedented situation schools face this year, Ofqual has decided that summer exam grades will be awarded without examinations taking place. The grade will be based on teacher assessment and will mean data will be shared with exam boards such as:

- Centre number
- Syllabus/qualification code
- Candidate number
- Candidate name
- Date of birth
- Grade
- Rank.

Once this information has been submitted it will not be retained by DSHS and any supporting documentation regarding how the grade has been determined will be destroyed immediately.

Ofqual has clearly stated that the grades and ranking the school submits to the exam board remains confidential and schools are not allowed to share this information with pupils or parents.