



## Falconer School

### Privacy Notice - How we use pupil information

**At Falconer School we collect both Personal and Sensitive (Special) Pupil information. We are committed to the protection of all data for which we hold responsibility. The school acts as a Data Controller and as such is registered with the ICO and complies with the Principles of the Data Protection Act 1998.**

**<https://ico.org.uk/for-organisations/guide-to-data-protection/data-protection-principles/>. It also takes into account expected provisions of the General Data Protection Regulation which is new legislation due to come into force on May 2018.**

**The handling of Personal and Special data is in accordance with Data Protection Principles and as per GDPR (General Data Protection Regulation) Article 5 all personal data shall be:**

1. Processed lawfully, fairly and in a transparent manner.
2. Collected for specified, explicit and legitimate purposes.
3. Adequate, relevant and limited to what is necessary.
4. Accurate, and where necessary, kept up to date.
5. Retained only for as long as necessary.
6. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data, and against accidental loss or destruction, or damage to, personal data.
7. Personal Data shall be processed in accordance with the rights of data subjects under the Data Protection Act 1998.
8. Personal data shall not be transferred to a country or territory outside of the European Economic Area unless the country or territory ensures an adequate level of protection for the rights and freedoms of data in relation to the processing of personal data.

As part of our compliance with GDPR Falconer School and its Governing body has appointed a Data Protection Officer. The DPO is Mrs Katie Harris who can be contacted at: [gdprkharris@gmail.com](mailto:gdprkharris@gmail.com)

#### **Pupil data we collect at our school includes but is not limited to:**

- Personal Information such as name, date of Birth, unique Pupil Numbers, Unique Learner numbers address and telephone information, contact information, dietary information, photographs, youth support services agreement, pupil premium, free school meal, agency and welfare data, details of previous schools attended, current and previous attendance, in care/welfare details, destinations after leaving school, SEN data, exclusions, behavioural and achievement data, examination results, details of communication logs, interventions, post 16 learning information.

For definitions of Personal and Sensitive (Special) Data please see the ICO definition:

<https://ico.org.uk/for-organisations/guide-to-data-protection/key-definitions/>

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

We use the pupil data:

- 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

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

We collect and process pupil information as per Article 6 of the GDPR which covers lawful processing .

We collect and process sensitive (special) pupil information as per Article 9 of the GDPR.

### **Collecting pupil information**

The intention to share data relating to individuals to an organisation outside of our school shall be clearly defined within notifications and details of the basis for sharing given. Data will be shared with external parties in circumstances where it is a legal requirement to provide such information.

Any proposed change to the processing of individual's data shall first be notified to them.

### **Storing pupil data**

- We hold pupil data in the form of paper student records, in our SIMS database and these records are held for no longer than necessary .
- The school recognises that the secure disposal of redundant data is an integral element to compliance with legal requirements and an area of increased risk.
- All data held in any form of media (paper, tape, electronic) shall only be passed to a disposal partner with demonstrable competence in providing secure disposal services.
- All data shall be destroyed or eradicated to agreed levels meeting recognised national standards, with confirmation at completion of the disposal process.

### **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)

### **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 our local authority (LA) and the Department for Education (DfE) under section 3 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.

### **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>

### **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 Mrs Katie Harris, [gdprkharris@gmail.com](mailto:gdprkharris@gmail.com) or our School Manager [j.buckeridge@falconer.herts.sch.uk](mailto:j.buckeridge@falconer.herts.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

The school will not reveal the following information in response to Subject Access Requests:

- Information that might cause serious harm to the physical or mental health of the pupil or another individual.
- Information that would reveal that the child is at abuse of risk, where disclosure of that information would not be in the child's best interest.
- Information contained in adoption and parental order records.
- Certain information given to a court in proceedings concerning the child.

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:

**our Data Protection Officer Mrs Katie Harris, [gdprkharris@gmail.com](mailto:gdprkharris@gmail.com) or our School Manager [j.buckeridge@falconer.herts.sch.uk](mailto:j.buckeridge@falconer.herts.sch.uk)**