

# PUPIL PRIVACY NOTICE

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# Privacy Notice (How we use pupil information) – For pupils and their families.

## ***2.1 What this Privacy Notice is for***

Brackenfield Special School collect, hold, use and share information about our pupils and their families. This is known as “personal data” and you have rights around that data, including knowing how and why we are processing the data. “Processing” data means from collecting, storing, using, sharing and disposing of it.

## ***2.2 The types of information that we process.***

- personal information that identifies you, and your contact details. This includes name, date of birth, unique pupil number, photographs, contact details and address.
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- behavioural information (such as exclusions and any relevant alternative provision put in place as well as behaviour support plans)
- assessment and attainment (such as National curriculum assessment results and any relevant results from professionals such as WISC etc)
- For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.
- Destination data (this is information about what students do after leaving the school, for example, college, university, apprenticeship, employment)
- CCTV data

## ***2.3 Special category data***

- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical information (such as Doctor’s information, child health, dental health, allergies, medication and dietary requirements)
- Funding (Free school meal, Pupil Premium, ESA, High Needs Funding and Catch-Up Funding)

## ***2.4 Why we collect and use pupil information.***

We collect and use pupil information, for the following purposes:

- to support pupil learning
- to monitor and report on pupil attainment progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe
- to meet the statutory duties placed upon us for DfE.
- to comply with the law regarding data sharing
- for site security
- protect public monies against fraud.
- to streamline systems

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

- Article 6(a) - Consent (for any processing which does not fall into the bases detail within this section below)
- Article 6(c) - Compliance and Legal Obligation  
as set out in the Education Act 1996 (as amended). We are required to share information about our pupils with the (DfE) under regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. **In addition, there are extensive statutory obligations that a school is subject to – further details about these are available from our Data Protection Officer.**
- Article 6(e) - Public Interest

In addition, concerning any special category (personal data that needs more protection because it is sensitive, please see our legal conditions for processing document for information about special category data) data of [GDPR - Article 9](#) :

- Article 9(2g) - Processing is necessary for reasons of substantial public interest.

Data Protection Act 2018-part 2 schedule 1;

- 8 - Equality of Opportunity or Treatment
- 18 - Safeguarding Children and Individuals at Risk

## ***2.5 How we collect pupil information.***

We collect pupil information via admission forms completed by parent/carer when a student joins our School, data collection forms, CCTV cameras, information provided by; parent/carer, the previous school/provisions, local authorities, NHS, Police, the Department for Education (DfE) and by secure file transfer Common Transfer File (CTF).

Pupil data is essential for the Schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. We will let you know, when we ask you for data, whether you are required to provide the information and your rights in relation to this.

## ***2.6 How and where we store pupil information.***

We securely store workforce information on the School's IT network. This is either on RM Integris or Microsoft Teams, both of which are cloud based; all the necessary safeguards are in place such as password protection and different levels of access. We don't keep any records on paper; all information is scanned in. Any paper records that do not need returning to parents / previous schools are securely shredded. We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please see this schedule.

*We are currently following the instructions of the Independent Inquiry into Child Sexual Abuse (IICSA) which states that student records should not be destroyed until this inquiry is complete.*

## ***2.7 Who we share pupil information with***

We routinely share pupil information with:

- Schools that the pupils attend after leaving us.
- Feeder schools
- Our local authority
- Other relevant local authorities
- Our Governing Body
- Youth support services/careers services (pupils aged 13+)
- Employers/training providers where references are requested.
- Work experience providers
- The Department for Education (DfE) Inc. Learner Record Services and the National Pupil Database
- Police
- NHS (agencies and services)/School Nurse
- External systems used by the School to carry out day to day processes and requirements. For example, and not limited to; RM Integris, Teachers to Parents, School Money, Marvellous Me, Wonde. Please see appendix 1 for a full list.

## ***2.8 Why we regularly 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.

### **2.8.1 Youth support services & Careers advisors**

Pupils aged 13+

Once our pupils reach the age of 13, we pass information about the pupil to our local authority so they can carry out their legal 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 object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once they reach the age 16.

For more information about services for young people, please visit our local authority website or contact our Schools' Data Protection Officer.

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

A child / pupil once they reach the age of 16 can object to only their name, address and date of birth is passed to their local authority or provider of youth support services by informing us.

For more information about services for young people, please visit our local authority website.

### **2.8.2 Department for Education**

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 section 3 of The Education (Information About Individual Pupils) (England) 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](#).

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

### **2.8.3 Local Authorities**

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the [Schools Admission Code](#), including conducting Fair Access Panels.

## ***2.9 Requesting access to your personal data, and other rights.***

Under data protection law, pupils have the right to request access to information about them that we hold, and in some cases, parents can make the request on the pupil's behalf. Parents also have the right to access their child's educational record, **though a parental request to see other records will be subject to the pupil's consent if they are over 13, understand the request and any implications.**

You also have the right to:

- be informed about the collection and use of your personal data.
- rectification, ie to have inaccurate personal data rectified, or completed if it is incomplete.
- erasure, often known as the 'right to be forgotten'; however this does not apply where, amongst other things, processing is necessary to comply with a legal obligation.
- restrict processing, although, as above this is a limited right.
- data portability where applicable.
- object: though other than for marketing purposes, this is also limited as above.
- Where we rely on your consent to process your data, you have the right to revoke that consent.
- You also have rights in relation to automated decision making and profiling, though these are not currently relevant.
- Finally, the right to seek redress, either through the ICO, or through the courts

If you would like to request access to your data, or use any of the other rights listed above, please contact the school office in the first instance.

## ***2.10 How Government uses your data.***

The pupil 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 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)

## ***2.11 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>

## ***2.12 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-and-supporting-information>

### ***2.13 Sharing by the Department.***

The law allows the Department to share pupils' personal data with certain external, 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>

## **2.14 Learner Records Service**

The information you supply is used by the Learning Records Service (LRS). The LRS issues Unique Learner Numbers (ULN) and creates Personal Learning records across England, Wales and Northern Ireland, and is operated by the Education and Skills Funding Agency, an executive agency of the Department for Education (DfE). For more information about how your information is processed, and to access your Personal Learning Record, please refer to: <https://www.gov.uk/government/publications/lrs-privacy-notice>

## **2.15 Contacts**

If you have a concern about the way we are collecting or using your personal data or you would like to discuss anything in this privacy notice, we ask that you raise your concern with us in the first instance.

Please contact the School Office, Headteacher or School Data Protection Officer:

Data Protection Officer Name: GDPR for Schools, Derbyshire County Council

DPO Email: [gdprforschools@derbyshire.gov.uk](mailto:gdprforschools@derbyshire.gov.uk)

DPO Phone: 01629 532888

DPO Address: Room 396, North Block, County Hall, Smedley Street,  
Matlock, Derbyshire, DE4 3AG

### **For Derbyshire County Council:**

Information Governance Officer

Children's Services Department, Derbyshire County Council

Room 361

County Hall

Matlock

Derbyshire

DE4 3AG

Email: [cs.dpandfoi@derbyshire.gov.uk](mailto:cs.dpandfoi@derbyshire.gov.uk)

Telephone: 01629 532011

### **For DfE:**

Public Communications Unit,

Department for Education,

Sanctuary Buildings,



Great Smith Street,  
London, SW1P 3BT  
Website: [www.education.gov.uk](http://www.education.gov.uk)  
<https://www.gov.uk/contact-dfe>  
Email: <http://www.education.gov.uk>  
Telephone: 0370 000 2288

If however you are dissatisfied with our response to your concerns you can of course contact the ICO quoting our ICO registration number Z5232725 and stating that the Data Controller is Brackenfield Special School.

Information Commissioners' Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.  
Fax: 01625 524 510  
Website: <https://ico.org.uk/concerns/>

#### Appendix 1:

Supplier Name	Product Name
Adaptsoft	Iris Adapt
Assembly	Assembly – data collection from MIS
Careers & Enterprise Company	Compass+
Community Brands UK Holdings Ltd t/a Eduspot	Smart Payments Ltd (SchoolMoney)
Community Brands UK Holdings Ltd t/a Eduspot	Teachers2Parents Ltd
Department for Education (DfE)	Analyse School Performance (ASP)
Department for Education (DfE)	COLLECT
Department for Education (DfE)	Common Transfer Form (CTF)
Department for Education (DfE)	DfE Sign-in
Department for Education (DfE)	EduBase
Department for Education (DfE)	Education and Skills Agency (EFSA)
Department for Education (DfE)	FSM Eligibility Checking System (ECS)
Department for Education (DfE)	Get information about schools
Department for Education (DfE)	Key to Success (KtS)
Department for Education (DfE)	Learning Records Service (LRS)
Department for Education (DfE)	National Curriculum Tools (NCA Tools)
Department for Education (DfE)	National Pupil Database (NPD)
Department for Education (DfE)	Ofsted
Department for Education (DfE)	Performance Checking Exercise

Department for Education (DfE)  
Department for Education (DfE)  
Department for Education (DfE)  
Department for Education (DfE)  
Department for Education (DfE)  
Derbyshire County Council  
Derbyshire County Council  
EducationCity Ltd  
eduFOCUS Limited  
Saul Isaac Ltd  
MarvellousMe Ltd  
One Team Logic Limited  
RM Education Ltd  
Schools Data Services Ltd  
Twinkl Limited  
Wonde Ltd

Primary Assessment Gateway  
Pupil Premium Review  
School census  
School to School (S2S)  
Standards and Testing Agency  
Derbyshire County Council  
SAP for Schools  
EducationCity  
Educational Visits Online Management System EVOLVE  
Saul Isaac School Photography  
MarvellousMe  
MyConcern  
RM Integris  
Adaptsoft  
Twinkl  
Wonde