



PUPIL PRIVACY NOTICE (how we use pupil information)

Pupil Information

We, the Learn to Live Federation, collect and hold personal information relating to our pupils and families, and may also receive information about them from their previous school, Local Authority and/or the Department for Education (DfE).

The categories of pupil information that we process include:

- Personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- 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 and administration (such as Doctor's information, child health, dental health, allergies, medication and dietary requirements)
- Attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment and attainment (such as Key Stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- Behavioural information (such as exclusions, and any relevant alternative provision put in place)

This list is not exhaustive.

Why we collect and use pupil information

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

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

- a) To support pupil learning
- b) To monitor and report on pupil attainment progress
- c) To provide appropriate pastoral care
- d) To assess the quality of our services
- e) To keep children safe (food allergies, or emergency contact details)
- f) To meet the statutory duties placed upon us by the Department for Education

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

We collect and use pupil information under item e) Public Task from Article 6 of the General Data Protection Regulation May 2018, which states that processing is necessary for the school to be able to perform tasks in the public interest or for official functions, and the task or function has a clear basis in law.

We also adhere to Article 9 where data process is within the special category from the General Data Protection Regulation. Under Article 9:

- “processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent”;
- “processing is necessary for reasons of substantial public interest, on the basis of Union or Member state law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject”;
- “processing is necessary for archiving purposes in the public interest, scientific or historical research purposed or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to date protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject”.

Collecting pupil information

We collect pupil information via the Student admissions form and Data Collection sheet completed on a yearly basis.

Pupil data is essential for the school’s operational use. Whilst the majority of pupil information you provide us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

Storing pupil data

We hold pupil data securely for 35 years from date of birth, unless an alternative educational setting is known.

Who we share pupil information with

We routinely share pupil information with:

- Schools
- Local Authorities

- Youth support services (pupils aged 13+)
- Department for Education (DfE)
- NHS
- Vbranch House (Ellen Tinkham School only)
- Hollow Lane Club
- School Jotter
- Bug Club
- Education for Learning
- CPOMs

We have a small number of professionals who are registered via our Single Central Record and have authorised access and prior permission to work with pupils. The list of professionals is regularly kept up to date and information can be obtained from the School Office at any time upon request.

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.

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.

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 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.

Data is securely transferred to the youth support service via Egress or other suitable secure methods. For details how the data is used and stored by CSW, see their website: www.cswgroup.co.uk

Pupils aged 16+

We will also share certain information about pupils aged 16+ with our Local Authority and/or providers 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.

Data is securely transferred to the youth support service via Egress or other suitable secure methods. For details how the data is used and stored by CSW, see their website: www.cswgroup.co.uk

For more information about services for young people, please visit our Local Authority website www.devon.gov.uk

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.

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.

Requesting access to your personal data

Under GDPR, 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 the Executive Head or Head of School/College or the Data Protection Officer.

Depending on the lawful basis above, you may 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/>

Updates

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time.

Contact

If you would like to discuss anything in this privacy notice, please contact Nikki Burroughs, Executive Head (email: nikki.burroughs@learntolivefederation.co.uk)

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)

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-and-supporting-information>

Sharing by the Department

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

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/dfes-external-data-shares>

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's 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 DfE: <https://www.gov.uk/contact-dfe>

Links to other organisations we share with

<https://www.cpoms.co.uk/privacy-statement/>

<https://faq.scomis.org/wp-content/uploads/2020/03/Hosted-Applications-Service-Data-Security-Statement.pdf>

[Contact the Department for Education \(DfE\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk)