

## 2018/19 Privacy Notice

(how we use student and parent information)

Spen Valley High School is a data controller for the purposes of the General Data Protection regulation (GDPR) (Regulation (EU) 2016/679)

### **Why do we collect and use your information?**

Spen Valley High School hold the legal right to collect and use personal data relating to students and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE.

We collect and use personal data in order to meet the legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of the Education (Information About Students) (England) Regulations 2013.
- Children's Act 1989 – Section 83

### **We use the student data:**

- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard students
- to support students via careers guidance services (see Youth Support Services section)

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

- Personal information (such as name, unique student number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal / student premium / early years student premium eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment Information (such as national curriculum assessment results)
- Medical conditions
- Special Educational Needs and Disability
- Behaviour and exclusions
- Education/school history
- Post 14 Qualifications – ULN Number by the Learning Records Service
- Post 16 learning information

## **Biometric Data**

We will obtain written consent from at least one Parent/Carer before we take any biometric data and process it. Students are able to use finger prints to receive school dinners as part of the cashless payment system. Parent/Carers and students have the right to choose not to use the school's biometric system. We will provide alternative means of accessing the relevant service for those students. Parents/Carers have the right to withdraw consent at any time and we will make sure that any relevant data already captured is deleted.

## **Photographs and videos**

As part of our school activities, we may take photographs and recorded images of individuals within our school. We will obtain consent from Parents/Carers for photographs and videos to be used for communication, marketing and promotional materials. Images may be used on the school website, social media, newsletters or similar. Images may also be used on internal displays or the school prospectus. Consent can be refused or withdrawn at any time.

## **Collecting student information**

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 the General Data Protection Regulation, we will inform you whether you are required to provide certain student information to us or if you have a choice in this.

## **Storing student data**

We hold student data for as long as the law requires us to. This is usually until the student's 26<sup>th</sup> birthday.

## **Who we share student information with**

We routinely share student information with:

- Learning providers that the student attends after leaving us
- Our local authority
- The Department for Education (DfE)
- C&K Careers
- Locala (School nurses)
- On occasion we may need to share information with the police
- CAHMS (Child and Adolescent Mental Health Service)

## **Why we share student information**

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

We share students' data with our local authority (LA) and the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational

attainment policy and monitoring. For further information go to

<http://www.kirklees.gov.uk/beta/information-and-data/how-we-use-your-data.aspx>

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**

### **Students aged 13+**

Once students reach the age of 13 we also pass student information to C&K Careers which acts on behalf of Kirklees Council to provide local authority Youth Support Services to young people aged 13 to 19. The LA has responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996. We must provide the names and addresses of our students and their parents and any further information relevant to the support service's role

This enables them to provide services as follows:

- Youth support services
- Careers guidance services

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 the school office. This right is transferred to the child / student once he/she reaches the age 16. Please tell the school administrator if you wish to opt out of this arrangement.

For more information about Kirklees Council's youth support services please go to C&K Careers service page at <http://ckcareersonline.org.uk/>

### **The National Pupil Database (NPD)**

The NPD is owned and managed by the Department for Education and contains information about students 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 students 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 Students) (England) Regulations 2013.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-student-database-user-guide-and-supporting-information>.

The department may share information about our students 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 student 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 student information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-student-database-requests-received>

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

## **Requesting access to your personal data**

Under data protection legislation, 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 school office

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/>

## Contact

If you would like to discuss anything in this privacy notice, please contact:

Sarah Keenan            Administration Manager  
Email:                    office.spenny@kirkleeseducation.uk  
Telephone:              01924 405451

## Or

- Kirklees Council, Information Governance Team  
Email:                    [information.governance@kirklees.gov.uk](mailto:information.governance@kirklees.gov.uk)  
  
Telephone:              01484 221000
- Ministerial and Public Communications Division  
Department for Education    Telephone: 0370 000 2288  
Piccadilly Gate  
Manchester  
M1 2WD  
Website:                <https://www.gov.uk/government/organisations/department-for-education>  
  
Email:                    <http://www.education.gov.uk/help/contactus>