



GATEACRE SCHOOL

Pupil Privacy Notice

You have a legal right to be informed about how our school uses any personal information that we hold about you. This privacy notice explains how we collect, store and use personal data about you.

How we use pupil information

We, Gateacre School are a Data Controller for the purposes of the 2018 Data General Data Protection Regulations (GDPR) and previously the Data Protection Act of 1998. Our Data Protection Officer is: Miss Gina Kane

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 doctors 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)
- trips and activities
- Cashless catering biometric data (encrypted)
- Free school meal eligibility
- Identity management and authentication (such as Inventory records for fire evacuation purposes)

This list is not exhaustive.

Why we collect and use this information

Section 537A of the Education Act 1996 requires schools to collect and provide any such individual pupil information as may be prescribed. This includes sharing of a set of named pupil records through the submission of termly school census returns to the local authority and DfE.

Putting the school census on a statutory basis:

- means that schools do not need to obtain parental or pupil consent to the provision of information
- ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils
- helps to ensure that returns are completed by schools

To find out more about the data collection requirements placed on us by the Department for Education go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We also collect and share individual pupil information with the local authority - including attendance and exclusions data- each week. This is supported under **The Education (Pupil Registration) (England) Regulations 2006 Regulation 12; Children's Act 2004 Section 10: co-operation to improve wellbeing; Children's Act 2004 Section 11: arrangement to safeguard and promote welfare; Education and Inspections Act 2006 Section 38 and Working together to safeguard children March 2013 Guidance.**

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
- g) to comply with the law regarding data sharing
- h) to get in touch with you and your parents when we need to
- i) to look after your wellbeing
- j) to track how well the school as a whole is performing

This information is used by the local authority to fulfil a number of statutory duties:

- to ensure there are sufficient school places in the area
- promote high education standards
- ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential
- the need to meet the local authority's safeguarding requirements

- to facilitate the ability of partner organisations to support the learning and welfare of children and young people through the exchange of data and the use of information not otherwise available to either organisation.

For more information on how the local authority uses information we share with them go to <http://liverpool.gov.uk/schools-and-learning/requests-for-pupil-records/>

The lawful basis on which we use this information

We will only collect and use your information when the law allows us to. Most often, we will use your information where:

- We need to comply with the law
- We need to use it to carry out a task in the public interest (in order to provide you with an education)

Sometimes, we may also use your personal information where:

- You, or your parent/carer have given us permission to use it in a certain way
- We need to protect your interests (or someone else's interest)

We collect and use pupil information under Articles 6 and 9 of the GDPR (General Data Protection Regulations). Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for the purposes of processing pupil information are:

- Article 6.1c – processing is necessary for compliance with a legal obligation to which the controller is the subject;
- Article 6.1e – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- Article 6.1a – the data subject has given consent to the processing of his or her personal data for one or more specific purposes;

In addition, concerning any special category data we rely on the following conditions of [GDPR - Article 9](#)

- Article 9.2g – 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;
- Article 9.2 c – 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;
- Article 9.2f – processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity

Where we have obtained your specific consent to use your data, you or your parent/carer may withdraw this at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent.

Some of the reasons above for collecting using your information overlap, and there may be several grounds which mean we can use your data.

Collecting pupil information

We hold some personal information about you to make sure we can help you learn and look after you at school. For the same reasons, we get information about you from some other places too – like other schools, the local council and the government.

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. 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.

We collect pupil information via data collection sheets (completed by your parent/carer), registration forms at the start of the school year, Common Transfer File (CTF) or secure transfer from previous school.

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.

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

- Your personal information (such as name, unique pupil number and address)
- Your characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Your attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as key stage test results and assessments)
- Any Special Educational Needs information
- Any medical conditions you have
- Exclusions/ behavioural information
- Post 16 learning information
- Photographs
- CCTV images
- Biometric data (when you use your finger to use cashless catering)

Who we share pupil information with

We do not share personal information about you with anyone outside the school without permission from you or your parents/carers, unless the law and our policies allow us to do so. Where it is legally required, or necessary for another reason (allowed under data protection law), we may share personal information about you with:

- Your parents/carers
- Schools or Education Providers you might attend after leaving us
- Local authority – Liverpool City Council
- The Department for Education (DfE)
- NHS/Health Authorities/Health & Social Welfare organisations
- Examining Bodies and educators
- Our regulatory body, Ofsted
- Professional bodies, professional advisers and consultants
- Suppliers and service providers – so that they can provide the services we contract them for
- Police forces, courts

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.

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.**

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 the dedicated local authority appointed high level security tracking systems and authorised officer and is stored securely and held for the period for which the data is required as set out in the data retention schedule.

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 website www.gateacre.org and our local authority website.

Storing pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule. We will keep personal information about you securely while you are a pupil at our school. We may also keep it after you have left the school, where we are required to by law. We have a records retention schedule/record management policy which sets out how long we must keep information about pupils, where data is held, the security arrangements (high level) and you can also find further information and policies about safe use of data within this school in our Data Protection Policy available on the website here: <https://www.gateacre.org/zones/parent-zone/policies/>. You can request a copy of this by contacting the Data Protection Officer.

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, (example school census) 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.

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 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, 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/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where consent is the lawful basis.

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the school.

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on **20th December 2019**.

Contact

If you would like to discuss anything in this privacy notice, please contact: The Data Protection Officer, Gateacre School, Hedgefield Road, Liverpool L25 2RW