



# **Privacy Notice Pupil Information**

**September 2022**

## **Introduction**

Under the General Data Protection Regulations (GDPR) individuals have a right to be informed about how Pele Trust and its schools use any personal data that is held about them.

Pele Trust and its schools complies with this right by detailing 'privacy notices' for individuals when we process their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils**.

For the purposes of data protection law Pele Trust is the Data Controller on behalf of its schools.

A named representative of Northumberland County Council acts as our Data Protection Officer.

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

- Personal information (such as name, date of birth, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as external test and exam results and internal tests)
- Relevant medical information which could be about physical and mental health
- Special educational needs information (including details of any support received, including care packages, plans and support providers)
- Behavioural information (such as classroom behaviour and exclusion information)
- Photographs, videos and/or voice recordings
- CCTV images captured in school.
- Biometric data for the management of cashless payment systems

## **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 provision
- To comply with the law regarding data sharing
- To deliver extra-curricular events and learning
- To ensure a safe and secure environment.

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

The law ( The Education Act 1996 and under section 6(1)(b) of the General Data Protection Regulations 2018) allows us collect and use pupils' personal data because:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest.

We may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

## **Special Categories of Data**

Pele Trust and its schools must also comply with an additional condition where it processes special categories of personal information. These special categories are as follows: racial or ethnic origin, political opinions, religious beliefs, trade union membership, genetic information, biometric information<sup>1</sup>, health information, and information about sex life or sexual orientation. Our lawful reason for processing special categories of personal information are as follows:

- To carry out obligations under the law or a collective agreement
- To protect the vital interests of the data subject

## **Collecting pupil information**

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. We will inform you whether you are required to provide certain information about your child or if you have a choice in this.

## **Storing pupil data**

Pele Trust retains pupil data for six academic years after the age of 18. In some instances we may need to review individual records and assess whether we need to retain all or some data for longer, for example for Looked After Children, children with Special Educational Needs or in Child Protection cases.

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

We routinely share pupil information with:

- Schools that the pupil's attend if they leave us
- The local authority (including the local authority responsible for student funding or care)
- The Department for Education (DfE)

---

<sup>1</sup> It should be noted that fingerprint images cannot be used by any other source for identification purposes. The system used in school takes an image of the fingerprint to create a mathematical algorithm and then discards the fingerprint image; only the numbers remain and these cannot be reinterpreted back into a fingerprint image.

In specific cases, and where it is legally required or necessary and it is lawful for us to do so, we may also share pupil information with:

- Schools that the pupil's attended previously
- Other schools in Pele Trust
- The pupil's family and representatives
- Educators and examining bodies
- Our regulator
- Suppliers and service providers
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Health and social welfare organisations
- Professionals advisers and consultants
- Charities and voluntary organisations
- Police force, courts and tribunals
- Professional bodies

Some pupil personal information (for example name and date of birth) is shared with third party suppliers of educational software or with third party suppliers of school management software for purposes such as parent communication, cashless catering and payments or parents evening bookings.

## **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.

We may share information with key personnel in other Pele Trust schools in order to aid transition between schools and where services are centralised or shared.

## **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

Once our pupils reach the age of 13 we may also pass pupil information to our local authority or our 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 advice and guidance.

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.

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 advice and guidance

For more information about services for young people, please visit the Northumberland County Council website.

## 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 the information about them that we hold. To make a request for your personal information, or be given

access to your child's educational record, please contact your child's school in the first instance (contact details are available on our website).

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

## **Other Rights**

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

## **Concerns**

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with your child's school 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:

Claire Hancock

Chief Operating Officer

Pele Trust