

Barley Lane School

Our Privacy Notice: Student Information

This privacy notice tells you what to expect when we collect personal information about our students.

1. The information we collect about our students include:

- personal information (such as name, unique pupil number and address)
- biometric information (such as facial images)
- characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- attendance (such as sessions attended, number of absences and absence reasons)
- assessment information, including examination results
- relevant medical information, including allergies and medication
- special educational needs information
- exclusions and behavioural information
- financial information (such as eligibility to receive Bursary funding)
- learner information (for students enrolling for post 14 qualifications)

2. We need to collect this information so we can:

- support student learning
- monitor and report on student progress
- provide appropriate pastoral care
- assess the quality of our services
- comply with laws regarding data sharing
- communicate with our student and parents/carers
- provide catering and payment services
- provide library, ICT and information services
- process admissions
- maintain student records
- support behaviour management
- assess eligibility for bursaries and grants
- safeguard and promote the welfare of students
- assist in the prevention or detecting of crimes
- respond to complaints, grievances and discipline investigations

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.

3. Record retention

We have a record retention schedule which sets out how long we keep student information for. This is available on our website at www.barleylaneschool.devon.sch.uk (under GDPR section)

4. Our legal basis for processing personal information

We will only process your information where we have a lawful reason to do so. In most cases, this will be where it is necessary for us to perform a task in the public interest or exercise our official duties. There may be other times when we need to collect, share or use 'special' data (eg health or biometric data (photographs) about you, in which case we may do so where we are performing our official duties and:

- we have your explicit consent; or
- it is necessary for social protection purposes (eg safeguarding of individuals at risk; protection from unlawful acts; prevention against fraud); or
- we need to comply with a legal obligation under an Act of law (eg The Education Act 1996; Children Act 2004);
- it is necessary to protect the vital interests of the data subject or someone else

5. Who we share personal information with

We do not share our student information with anyone unless we have consent or the law or our policies allow us to do so. We regularly share our information with the following, so we can carry out our official duties as a school:

- the Department for Education (DfE)
- our local authority
- school nursing team
- schools that the student attends after leaving us
- examination Boards and moderators
- National Health Service (NHS)
- catering and trip payment service providers
- student and parent communication service providers
- student learning service providers
- youth support services and careers advisors

- IT service providers to enable student access to learning services

We are required to share information about our students with the DfE under regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the data collection and sharing requirements placed on us by the DfE (eg in relation to the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Youth support services

Students aged 13+

Once our students reach the age of 13, we also pass student 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 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 student once he/she reaches the age of 16.

Students aged 16+

We will also share certain information about students 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

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

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The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils and 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 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 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/guidance/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/dfе-external-data-shares>

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

Privacy Notice – Additional information for children in need and looked-after children

In addition to the details set out in this privacy notice, this section explains how we use information relating to children in need and looked-after children.

The categories of children in need and looked-after children information that we collect, hold and share include:

- information relating to episodes of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection information and Child Protection Plan information)
- episodes of being looked after (such as important dates, information on placements)
- outcomes for looked after children (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending)
- adoptions (such as dates of key court orders and decisions)
- care leavers (such as their activity and what type of accommodation they have)

Why we collect and use this information

- to support these children and monitor their progress
- to provide them with pastoral care
- to assess the quality of our services
- to evaluate and improve our policies on children's social care

The lawful basis on which we use this information

We will process this information where one or more of the following applies:

- 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 (ie the school)
- consent has been obtained from the data subject
- processing is necessary for compliance with a legal obligation
- processing is necessary in order to protect the vital interests of the data subject or another person

Collecting this information

- Whilst the majority of the information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

Storing this information

- We hold student information in line with our record retention schedule available at www.barleylaneschool.devon.sch.uk

Who we share this information with

- Department for Education (DfE)
- Local Authority
- NHS

Why we share this information

- We share children in need and looked-after children's data with the Department for Education on a statutory basis, under Section 83 of 1989 Children's Act, Section 7 of the Young People's Act 2008 and also under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.
- This data sharing helps to develop national policies, manage local authority performance, administer and allocate funding and identify and encourage good practice.

- We do not share information about our children in need or children looked after with anyone without consent unless the law and our policies allow us to do so.
- Data collection requirements
- To find out more about the data collection requirements placed on us by the DfE go to: Children looked after: <https://www.gov.uk/guidance/children-looked-after-return> - Children in need: <https://www.gov.uk/guidance/children-in-need-census>

6. 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, please write to us at admin@barleylane.devon.sch.uk . Please note, keeping your information secure is our top priority, therefore you may be asked to provide identification of yourself before we can release any records to you.

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 General Data Protection Regulation

If you would like to exercise any of these rights, please write to us at admin@barleylane.devon.sch.uk

Contact Us

If you would like to discuss anything in this privacy notice, or if you have concerns about the way we are collecting or using your personal data please contact our Data Protection Officer, Amber Badley at admin@barleylane.devon.sch.uk .

Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns>

Further information

Our Data Protection Officer is an external consultant from Firebird Data Protection Consultancy Limited (Firebird), who performs this role under a service contract through Babcock Learning Development Partnership (Babcock LDP).

For information about how Firebird handles personal information, please visit their website at www.firebirdltd.co.uk For information about how Babcock LDP handles personal information, please visit their website at www.babcock-education.com