

Blatchington Mill School

Privacy notice for pupils – How we use pupil information



Blatchington
Mill School

Involvement, Achievement & Care

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1. Introduction

You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This notice explains how we collect, store and use personal data about **pupils at our school**, like you.

We, Blatchington Mill School, Nevill Avenue, BN3 7BW are the 'data controller' for the purposes of UK data protection law.

Our data protection officer is the School Business Manager (see 'Contact us' below).

2. The personal data we process include:

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 – such as other schools, the local council and the government.

Personal information that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Personal identifiers and contacts (such as name, unique pupil number, contact details and addresses)
- Family and Carer contact details
- Assessment and attainment information
- Your attendance records
- Details of any behaviour issues or exclusions
- Safeguarding information

We may also collect, use, store and share (when appropriate) information about you that falls into 'special categories' of more sensitive personal data. This includes, but is not restricted to:

- Information about your characteristics, like your ethnic background, free school meal eligibility or any special educational needs
- Information about any medical conditions you have
- Biometrics – when specific consent is given
- Photographs and CCTV images

3. Why we use this data

Adapt the list below to reflect the purposes for which you use the data you've listed above.

We use the data listed above to:

- a) Keep you safe and look after your wellbeing.
- b) Get in touch with you and your parents or carers when we need to
- c) Support your learning
- d) Provide appropriate pastoral care
- e) Monitor and report on your attainment progress
- f) Track how well the school as a whole is performing
- g) Meet the statutory duties placed upon us by the Department for Education

3.1 Use of your personal data for marketing purposes

We do not use your personal information for marketing purposes

3.2 Use of your personal data in automated decision making and profiling

We don't currently put pupils' personal data through any automated decision making or profiling process. This means we don't make decisions about you using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

4. Our lawful basis for using this data

We will only collect and use your information when the law allows us to. We need to establish a 'lawful basis' to do this, as set out in Article 6 of the UK GDPR.

Our lawful bases for processing your personal information for the reasons listed in section 3 above are:

- For the purposes of **a, c, f, g** in accordance with the 'public task' basis – we need to process data to fulfil our official duties as a school
- For the purposes of **a, c, f, g** in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law.
- For the purposes of **c** in accordance with the 'consent' basis – we will get consent from you to use your personal data
- For the purposes of **a,b,c** in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation
- For the purposes of **a,b,c,d,e**, in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us
- For the purposes of **e,f,g**, in accordance with the 'legitimate interests' basis – where there's a minimal privacy impact and we have a compelling reason.

Where you've provided us with consent to use your information, you may take back this consent at any time. We'll make this clear when requesting your consent, and explain how you'd go about withdrawing consent if you want to.

4.1 Our basis for using special category data

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK data protection law:

- We have got your explicit consent to use your information in a certain way
- We need to use your information under employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The information has already been made obviously public by you
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation
- We need to use it for health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law

- We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have got your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made obviously public by you
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

5. Collecting this data

While most of the information we collect about you is mandatory (i.e. you have to give us the information), there is some information that you can choose whether or not to give us.

Whenever we want to collect information from you, we make it clear whether you have to give us this information (and if so, what the possible consequences are of not doing that), or whether you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from

- A parent or carer who has parental responsibility for you
- Health care or social care professionals
- Local councils
- Another school or education setting
- Government departments or agencies
- Police forces, courts or tribunals

6. How we store this data

We keep personal information about you while you're attending our school, if you move to another school we pass the information onto them.

We hold pupil data securely for the set amount of time recommended by the Information and Records Management Service.

If you have special educational needs we will keep your information until the end of the calendar year in which you turn 50. If you do not have special educational needs when you are at school we keep the information until the end of the calendar year in which you turn 25.

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We'll dispose of your personal data securely when we no longer need it.

7. Who we share data with

We don't share information about you with any third party without your consent unless the law and our policies allow us to do so.

We ensure that we only share the required data and never provide access to more information than is necessary.

Where it's legally required, or necessary (and it complies with UK data protection law), we may share personal information about you with:

- › Our local authority, Brighton and Hove City Council– to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about attendance and exclusions
- › Government departments or agencies – this will usually be the Department for Education and includes Ofsted.
- › Our youth support services provider for pupils aged 13 and over.
- › Schools or educational settings that you attend after this school.
- › Education, training, careers and examining bodies.
- › Suppliers and service providers including Innovate, our catering provider and a range of organisations providing IT platforms and educational programmes supporting learning.
- › Financial organisations – our online payment platform and agencies organising trips and visits.
- › Our auditors
- › Survey and research organisations
- › Health authorities
- › Health and social welfare organisations
- › Charities and voluntary organisations
- › Police forces, courts or tribunals

Once our pupils reach the age of 13+, we 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

The information shared is limited to the child's name, address and date of birth. However, where a parent or carer provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child/pupil once they reach the age of 16.

Department for Education (DfE)

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 the Department for Education (DfE) under a combination of software and hardware controls, which meet the current [government security policy framework](#).

You can find more information about this on the Department for Education's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) if you have any questions about the database.

8. Your rights

Under data protection legislation, parents, carers 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 our Data Protection Officer.

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint 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/>

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

8.2 Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal information is used and kept safe. For example, you have the right to:

- Say that you don't want your personal information to be used
- Stop it being used to send you marketing materials
- Say that you don't want it to be used for automated decisions (decisions made by a computer or machine, rather than by a person)
- In some cases, have it corrected if it's inaccurate
- In some cases, have it deleted or destroyed, or restrict its use
- Withdraw your consent, where you previously provided consent for your personal information to be collected, processed and transferred for a particular reason
- In some cases, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation if the data protection rules are broken and this harms you in some way

To exercise any of these rights, please contact us (see 'Contact us' below).

9. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concerns about our data processing, please let us know first.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

10. Contact us

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

Data Protection Officer & Business Manager

office@blatchingtonmill.org.uk

01273 736244

Blatchington Mill School

Nevill Avenue

BN3 7BW

11. How Government uses your data

The pupil data that we lawfully share with the the Department for Education (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 (DfE) (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 (DfE) 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 for Education (DfE).

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 for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department for Education's (DfE) 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 the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) 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/dfe-external-data-shares>

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the [Data Protection Act 2018](#), you are entitled to ask the Department for Education (DfE):

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