



# **Blatchington Mill School**

## **PRIVACY NOTICE FOR STUDENTS**

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## **Contents**

<b>1. Introduction</b>	<b>1</b>
<b>2. The personal data we process include:</b>	<b>2</b>
<b>3. Why we use this data</b>	<b>2</b>
3.1 Use of your personal data for marketing purposes	3
3.2 Use of your personal data in automated decision making and profiling	3
3.3 Use of your personal data for filtering and monitoring purposes	3
<b>4. Our lawful basis for using this data</b>	<b>4</b>
4.1 Our basis for using special category data	5
<b>5. Collecting this data</b>	<b>5</b>
<b>6. How we store this data</b>	<b>6</b>
<b>7. Who we share data with</b>	<b>6</b>
7.1 Transferring data internationally	7
<b>8. Department for Education (DfE)</b>	<b>7</b>
8.1 How the government uses your data	7
8.2 Data collection requirements by the Department for Education (DfE)	7
8.3 Data sharing by the Department of Education (DfE)	8
8.4 How to access personal information that the DfE hold about you	8
<b>9. Your rights</b>	<b>9</b>
9.1 How to access personal information that we hold about you	9
9.2 You other rights regarding your data	9
<b>10. Complaints</b>	<b>10</b>
<b>11. Contact us</b>	<b>10</b>



## 1. Introduction

You have the legal right to be informed about how our school uses any personal information that we hold about you under the UK General Data Protection Regulation - GDPR. 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 **students 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 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 student number, contact details and addresses)
- Family and Carer contact details
- Assessment and attainment information
- Your attendance records
- Details of any behaviour issues including behaviour points, alternative provision and suspensions
- Safeguarding information
- Information about how you use school computers and other IT and communications systems

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
- Medical information, including any health conditions or allergies
- Biometrics, such as your fingerprint, when specific consent is given
- Photographs and CCTV images

## 3. Why we use this data

We use the data listed above to:

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- 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 legal requirements placed upon us, such as the statutory duties placed upon us by the Department for Education
- h. Make sure our computers and other school systems and equipment are used appropriately, legally and safely

We will only use your personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for any other reason and that reason is incompatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and explain the legal basis that allows us to do so.

Please note that we may process your personal information without your knowledge or consent in compliance with the above rules where this is required or permitted by law.

### **3.1 Use of your personal data for marketing purposes**

We may send you messages by email promoting school activities, including: events, campaigns, charitable causes or services that you might be interested in.

We do not use your personal information for any external marketing purposes.

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

We don't currently put students' 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.

### **3.3 Use of your personal data for filtering and monitoring purposes**

While you're in school and/or using our equipment, we may monitor what material you access on our computers and other IT and communication systems. We do this so that we can:

- Protect your welfare
  - Comply with health and safety law and other laws
  - Comply with our policies (e.g., safeguarding & child protection policy, and online safeguarding policy)
  - Keep our network(s) and devices safe from people who aren't allowed to access them, and prevent harmful software from damaging our network(s)
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## 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](#). There are six lawful bases:

- Consent
- Contract
- Legal obligation
- Vital interests
- Public task
- Legitimate interests

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

- For the purposes of b, c, d, h, in accordance with the 'consent' basis – we will get consent from you to use your personal data
- For the purposes of a, b, c, d, e, h, 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 a, c, e, f, g, h, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law. Examples of guidance and legislation are:
  - Keeping Children Safe in Education 2024
  - Education Act
  - Children Act
  - The Education (Information About Individual Pupils) (England) Regulations 2013
- For the purposes of a, b, d, h, in accordance with the 'vital interests' basis – we will use this personal data to protect someone's life
- For the purposes of a, c, f, g, h, in accordance with the 'public task' basis – we need to process data to fulfil our official duties as a school. Examples of guidance and legislation are:
  - School admissions code
  - UK General Data Protection Regulation
  - Data Protection Act
  - Health and safety: responsibilities and duties for school
- For the purposes of a, c, e, f, g, h, in accordance with the 'legitimate interests' basis – where there's a minimal privacy impact and we have a compelling reason, including:
  - Educational resources, such as websites and organisations
  - Sports and other extracurricular fixtures

Where you've provided us with consent to use your information, you may take back this consent with some categories of information. 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 one of the following conditions for processing as set out in [Article 9 of the UK GDPR](#) 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 [Article 10 of UK GDPR](#) 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**

We will only collect and use your personal information when the law allows us to, as detailed above in section 4 of this notice. 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 or a parent/carer responsible for you, but we may also hold data about you from:

- 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 student data securely for the set amount of time recommended by the Information and Records Management Service. We will keep your information until the end of the school year in which you turn 25 years old or longer in special circumstances (such as those involving legal disputes).

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

We'll dispose of your personal data securely when we no longer have a legal requirement for 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 & 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 (see section below) and includes Ofsted.
- Our youth support services provider for students 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 our catering provider and a range of organisations providing IT platforms and educational programmes supporting learning.
- Financial organisations, such as 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 students reach the age of 13+, we 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

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/student once they reach the age of 16.

### **7.1 Transferring data internationally**

We may share personal information about you with international third parties (organisations, companies, etc, that are based outside the UK), where different data protection legislation applies. These are usually for educational resources, such as software platforms.

Where we transfer your personal data to a third-party country or territory, we will follow UK data protection law.

## **8. 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 students with the 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](#).

### **8.1 How the government uses your data**

The students data that we lawfully share with the 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 (e.g., school GCSE results or Pupil Progress measures)
- supports 'longer term' research and monitoring of educational policy (e.g., how certain subject choices go on to affect education or earnings beyond school)

### **8.2 Data collection requirements by the Department for Education (DfE)**

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

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

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The National Pupil Database (NPD) is owned and managed by the DfE and contains information about students in schools in England. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The data in the NPD is provided as part of the operation of the education system and is used for research and statistical purposes to improve, and promote, the education and well-being of children in England.

The evidence and data provide DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-mpd-privacy-notice/national-pupil-database-mpd-privacy-notice>

### **8.3 Data sharing by the Department of Education (DfE)**

The DfE will only share students' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, the law allows the DfE to share students' 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 DfE's 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 DfE to request access to individual level information relevant to detecting that crime.

For information about which organisations the DfE has provided student 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>

All data is transferred securely and held by the 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 DfE'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.

### **8.4 How to access personal information that the DfE hold about you**

Under the terms of the UK GDPR, you are entitled to ask the DfE:

- if they are processing your personal data
  - for a description of the data they hold about you
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- 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 DfE, you should make a 'subject access request'. Further information on how to do this can be found within the DfE's personal information charter that is published at the address below:

- <https://www.gov.uk/government/organisations/department-for-education/about/personal-informationcharter> or
- <https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

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

## 9. Your rights

### 9.1 How to access personal information that we hold about you

Under data protection legislation, parents/carers and students have the right to request access to information about them that we hold. This is known as a 'subject access request'. If you are over 13 years old and want to see the information we hold about you, then you can put in a subject access request to the Data Protection Officer using the contact details below. Your parent or carer can also make a subject access request, with your permission in writing. To make a subject access request for your personal information, or be given access to your educational record, contact our Data Protection Officer (see 'Contact us' below).

If you make a subject access request, and if we do hold information about you, we will (unless there's a really good reason why we shouldn't) perform reasonable and proportionate searches, and:

- Give you a description of it
- Tell you why we are holding and using it
- Give you a copy of the information in an understandable form

You may also have the right for your personal information to be shared with another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

### 9.2 You 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 in some circumstances
  - 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)
  - Have it corrected if it's inaccurate
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- 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.

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- Your right to object to the use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.

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

## 10. 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 the data protection team know first. If you wish to make a formal complaint, you should follow the procedures outlined in our [complaints policy](#).

If your complaint is not resolved to your satisfaction within a reasonable timeframe, 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

## 11. 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  
[DataProtection@BlatchingtonMill.org.uk](mailto:DataProtection@BlatchingtonMill.org.uk)



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