



**BURTON
BOROUGH
SCHOOL**

Privacy Notice for Parents & Carers

Policy Reviewer	Rita Barton in conjunction with T&W	Date of Review	December 2022
Date Presented to Governors	1 st February 2023	Date of next Review	February 2024

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals when we are processing their personal data.

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

For the purposes of data protection law, we, Burton Borough School, Audley Avenue, Newport, Shropshire, TF10 7DS are registered with the ICO as the 'data controller'.

Our data protection officer is Mr Robert Montgomery, Audit & Governance Team Leader

The categories of pupil information that we process include:

- Personal identifiers and contacts (such as name, unique pupil number, contact details and address, including parental/carer).
- 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 learning styles).
- Medical and administration (such as doctor's 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).
- Previous school information.
- CCTV footage.

Why we collect and use student information

We collect and use student information, for the following purposes:

- a) To support student learning.
- b) To monitor and report on student attainment progress.
- c) To provide appropriate pastoral care.
- d) To assess the quality of our services.
- e) To keep students safe (food allergies, or emergency contact details).
- f) To meet the statutory duties placed upon us for the department for education (DfE) data collections.

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing pupil information are:

The Lawful Basis on which we use this Information

We collect and use student information under GDPR article 6(1) (e) where 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.

For special categories of personal data, we will also meet the special category conditions for processing under GDPR article 9(2) (g) where 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.

Where we use third-party online services to provide homework and revision facilities, we will meet the conditions of a legal obligation under GDPR article 6(1) (c) where the processing is necessary for us to comply with the law.

Where third-party online services fall outside of the scope of this obligation which are offered to students such as classroom apps and we intend to rely on consent as a basis for processing, we will get parental consent where the pupil (student) is under 13 (except for online counselling and preventive services).

Whenever we first collect personal data directly from individuals, we will provide them with the relevant information required by data protection law.

Collecting student information

We collect student information via CTF files provided by other schools and agencies, data collection sheets, data exchanges between other agencies as well as written or verbal methods such as email or a telephone conversation.

Student data is essential for the schools' operational use. Whilst the majority of student 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 (student) information to us or if you have a choice in this.

Storing student data

Relevant personal information is held only for the purposes of this privacy notice will not be held more than one year unless it needs to be retained in the public interest, for legal reasons or for historical record.

Who we share student information with

We routinely share student information with:

- schools that the students attend after leaving us
- our local authority
- youth support services (students aged 13+)

- the Department for Education (DfE)
- The National Health Service (NHS)
- The student's parents/carers

Local Authority

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education Act (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Department for Education (DfE)

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

Where it is legally required, or necessary (and it complies with data protection law) we may also share personal information about students with:

- Educators and examining bodies
- Our regulator [specify as appropriate, e.g. Ofsted]
- Suppliers and service providers – to enable them to provide an agreed service
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

Why we regularly share students information

We do not share information about our students with anyone without consent unless the law and our policies allow us to do so.

We share student's 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 students with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education Act (Information About Individual Pupils) (England) Regulations 2013.

Other reasons we may share information:

- There is an issue with a student or parent/carers that puts the safety of our staff at risk

- We need to liaise with other agencies – we will seek consent as necessary before doing this
- Our suppliers or contractors need data to enable us to provide services to our staff and students – for example, IT companies. When doing this, we will:
 - Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with data protection law
 - Establish a data sharing agreement with the supplier or contractor, either in the contract or as a standalone agreement, to ensure the fair and lawful processing of any personal data we share
 - Only share data that the supplier or contractor needs to carry out their service, and information necessary to keep them safe while working with us

(Each of the three above statements have two bullet points per statement)

We will also share personal data with law enforcement and government bodies where we are legally required to do so, including for:

- The prevention or detection of crime and/or fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax owed to HMRC
- In connection with legal proceedings
- Where the disclosure is required to satisfy our safeguarding obligations
- Research and statistical purposes, as long as personal data is sufficiently anonymised, or consent has been provided (full stop) We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils (students) or staff.

Where we transfer personal data to a country or territory outside the UK, we will do so in accordance with data protection law.

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 child / student once he/she reaches the age 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.

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 Department for Education (DfE) either directly or via our local authority for the purpose of those data collections.

We are required to provide information about students to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote students' education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

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.

For more information, please see the Department's webpage on [how it collects and shares research data](#).

Requesting access to your personal data

Under data protection legislation, parents, or those with parental responsibility, have a legal right to free access to their child's educational record (which includes most information about a student) within 14 school days of receipt of a written request. This would be a request under Freedom of Information procedures.

To make a request for your personal information, or be given access to your child's

educational record, contact dataprotection.bbs@taw.org.uk.

You also have the right:

- 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.

Withdrawal of consent and the right to lodge a complaint

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 dataprotection.bbs@taw.org.uk.

Contact

If you would like to discuss anything in this privacy notice, please contact: dataprotection.bbs@taw.org.uk

Definitions

Personal data

Any information relating to an identified, or identifiable, individual. This may include the individual's:

- Name (including initials)
- Identification number
- Location data
- Online identifier, such as a username or
- Pseudonymous data It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.

Special categories of personal data

Personal data, which is more sensitive and so needs more protection, including information about an individual's:

- Racial or ethnic origin.
- Political opinions.
- Religious or philosophical beliefs.
- Trade union membership.
- Genetics.
- Biometrics (such as fingerprints, retina and iris patterns), where used for identification purposes.
- Health – physical or mental.
- Sex life or sexual orientation.

Processing

Anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying.

Processing can be automated or manual.

Data subject

The identified or identifiable individual whose personal data is held or processed.

Data controller

A person or organisation that determines the purposes and the means of processing of personal data.

Data processor

A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller.

Personal data breach

A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.

How Government uses your data

The student data that we lawfully share with the Department for Education (DfE) through data collections:

- Underpins school funding, which is calculated based upon the numbers of students 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 students 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 students 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 student's personal data with certain third parties, including:

- Schools and local authorities.
- Researchers.

- Organisations connected with promoting the education or wellbeing of students 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 student information, (and for which project) or to access a monthly breakdown of data share volumes with the 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>