# Privacy Notice (How we use student information)

**Lytham St Annes High School is the Data Controller for the use of personal data in this privacy notice.**

Under UK data protection requirements, General Data Protection Regulation (GDPR) and Data Protection Act 2018, individuals have a right to be informed about how the school uses any personal data. The school complies with this requirement by providing ‘privacy notices’ to inform individuals about how their personal data will be processed. This privacy notice explains how the school collects, stores and uses personal data about students and their families.

## The categories of student information that we process include:

* personal identifiers and contacts (such as name, unique student number, contact details and address)
* characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
* safeguarding information (such as court orders and professional involvement)
* special educational needs (including the needs and ranking)
* medical and administration (such as doctors 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)
* photographs and CCTV images
* catering (purchase information)
* trips and activities (dietary needs, medical needs and history and in some cases for overseas trips

passport numbers, birth certificates)

## Why we collect and use student information

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

1. to support student learning
2. to monitor and report on student attainment progress
3. to provide appropriate pastoral care
4. to assess the quality of our services
5. to keep children safe (food allergies, or emergency contact details)
6. to meet the statutory duties placed upon us for the Department for Education (DfE) data collections
7. to facilitate school trips and activities
8. to provide counselling services as required
9. to safeguard students

The school will use a lawful basis to collect and use personal data. Most commonly, the school will use it where it needs to:

• comply with a legal obligation

• perform an official task in the public interest

Less commonly, the school may also process personal data in situations where:

• you have given consent to use it in a certain way

• the school needs to protect the individual’s vital interests (or someone else’s interests)

Some of the reasons listed above for collecting and using personal information overlap, and there may be

several grounds which justify the school’s use of your data.

Under the [UK General Data Protection Regulation (UK GDPR)](https://www.gov.uk/data-protection), the lawful bases we rely on for processing student information are:

Legal Obligation: Article 6(1)(c) of the GDPR for any statutory processing which is necessary for compliance with a legal obligation to which the we are subject. This relates to tasks (e) (f) and (g) and includes the following statutory guidance: Lytham St Annes High School has the legal right to collect and use personal data relating to students and their families, and it may also receive information regarding them from their previous school, Local Authority (LA) and/or the Department for Education (DfE). The school will collect and use personal data in order to meet legal requirements and legitimate interests set out not only in the UK data protection requirements but also:

• Section 537A of the Education Act 1996

• The Education Act 1996 S29(3)

• The Education (School Performance Information) (England) Regulations 2007

• Regulations 5 and 8 School Information (England) Regulations 2008

• The Education (Student Registration) (England) (Amendment) Regulations 2013

• Education and Skills Act 2008

• DfE Keeping Children Safe in Education Guidance 2016

• DfE Working Together to Safeguard Children (2015)

• The Management of Health & Safety at Work Regulations 1999

• Regulatory Reform (Fire Safety) Order 2005 England and Wales

• Health and Safety

at Work Act 1974

• The Disability Discrimination Act 1995

‘Public Task’: Public interest or in the exercise of an official authority vested in us Article 6(1)(e) of the GDPR.

This relates to tasks (a) (b) (c) (g) and (h). This includes any process which is for necessary for the exercise of a task we have termed our ‘Statement of Public Task’, which is based on The curriculum requirements of section 78 of the Education Act 2002: Statement of Public Task: "To deliver a balanced and broadly based curriculum which promotes the spiritual, moral, cultural, mental and physical development of students at the school and society, and prepares students for the opportunities, responsibilities and experiences of later life. This includes school trips and activities; and where appropriate counselling services”. In addition, concerning any special category data we use Article 9(2)(g) of the GDPR and Schedule 1 Part 2 of the Data Protection Act 2018 in relation to statutory and government purposes, equality or opportunity of treatment and counselling.

Vital Interests: Article 6(1)(d) of the GDPR. Where the vital interests of a child are at risk we will use Vital

Interests as a lawful basis.

This relates to task (i). Where a vital interest is protected we will use Article 9(2)(c); and Article 9(2) (h) and (i) for the purposes of a medical diagnosis or reasons of public health. If we need to seek consent, we will obtain this under Article 6(1)(a) Consent and section 9(2)(a) Explicit Consent for Special Category Data

## Collecting student information

We collect student information via admission forms at the start of the school year and/or Common Transfer File (CTF) or secure file transfer from previous schools.

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 student information to us or if you have a choice in this.

## Storing student data

We hold student data securely for the set amount of time shown in our data retention schedule The inform

ation will be held securely by the school as both manual and electronic files and we will securely delete data when no longer required in accordance with our record retention schedule.

## Who we share student information with

We routinely share student information with:

* schools that the student attend after leaving us
* our local authority
* youth support services (students aged 13+)
* the Department for Education (DfE)
* NHS/ school nurse/ healthcare professions
* Alternative education providers
* Social and Welfare organisations
* School photographer
* School staff and Governing Body
* Ofsted inspectors
* Police

## Why we regularly share student 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 students’ 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 (Information About Individual Students) (England) Regulations 2013.

## 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

The information shared is limited to the child’s name, address and date of birth. However where a parent or guardian 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 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, under: section 3 of The Education (Information About Individual Students) (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](https://www.gov.uk/government/publications/security-policy-framework).

For more information, please see ‘How Government uses your data’ section.

## 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, contact Katherine Brindle, Assistant Business Manager, Katherine.brindle@lythamhigh.lancs.sch.uk or by contacting the school.

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.

## 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 Katherine Brindle, Assistant Business Manager on the contact details below.

## Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on the 25th October 2023.

## Contact

If you would like to discuss anything in this privacy notice, please contact: Katherine Brindle, Business Manager Katherine.brindle@lythamhigh.lancs.sch.uk

## How Government uses your data

The student 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 Student 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 Student Database (NPD)

Much of the data about students in England goes on to be held in the National Student 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-student-database-user-guide-and-supporting-information](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 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 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 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](https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted), 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>