**St Andrew’s School

A school with Quaker values

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**The St Andrew’s School Trust is a Registered Charity No. 1129232**

Data Privacy Notice

Students

Summary of changes

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| Page Ref | Section | Amendment | Date of change |
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|  |  |  |  |

Last reviewed date: Spring Term 2025

Adopted by Trustees date: 17th March 2025

Next review date: Spring Term 2028

**[Version v3.2]**

If you are reading a printed version of this document you should check the
Information Management pages on the St Andrew’s School network to ensure that you
have the most up-to-date version.

If you would like to discuss anything in this privacy notice, please contact:

Data Protection Officer: **Data Protection Education Ltd.**

Telephone: 0800 0862018

Email: dpo@dataprotection.education

If you would like a copy of any documentation, please contact the school office: **Office@standrewsschool.co.uk**

Document Version Control:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Version | Author | Date | Approved by | Effective from |
| 1.0 template | DPE - JE | 01/05/2018 |  |  |
| 1.3 update | DPE – JEQA - TK | 24/05/201801/06/2018 |  |  |
| 1.5 Update | JE | 02/10/2020 |  |  |
| 3.0 | JE | 12/10/2020 |  |  |
| 3.1 Update | JE | 28/06/2023 |  |  |
| 3.2 Update | TB | 13/05/2024 |  |  |

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**Purpose of this document**

You have a legal right to be informed about how St Andrew’s School uses any information that we hold about you. To comply with this, we provide a privacy notice (this document) to you where we are processing your data.

We (St Andrew’s School) are the ‘data controller’ for the purposes of data protection law. This notice describes how we collect, store and use personal data about students at our school like you. As a ‘data controller’ we are responsible for deciding what data is collected and how it is processed.

Under the Data Protection Act 2018 and the UK GDPR, we must abide by the principle of transparency and the right of data subjects to be informed how their data is processed.

This document provides such information. It will be updated from time to time and updates will be communicated to the relevant data subjects.

It is your duty to inform us of changes.

**The categories of student information that we collect, hold and share include:**

* personal identifiers and contacts (such as name, unique pupil number, contact details and address)
* 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 ranking)
* medical and administration (such as doctors’ information, child health, care plans, 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 assessment test scores, exam results, post 16 courses enrolled for and any other relevant results)
* behavioural information (such as achievements, exclusions, internal exclusions and any alternative provision put in place)
* photographs and video clips;
* post 16 destinations and learning information.

**Why we collect and use this information**

We use the data listed above to

* support student learning;
* monitor and report on student attainment and progress;
* provide appropriate pastoral care;
* assess the quality of our services;
* comply with the law regarding data sharing;
* keep children safe (food allergies, or emergency contact details); and
* meet the statutory duties placed upon us for the Department for Education (DFE) data collections.

**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. Our lawful basis for processing your personal information can be seen below:

* We collect and use student information under a task performed in the public interest where it relates to a child’s educational progression;
* Some photographs and videos are used only after gaining explicit consent;
* Where medical data is being processed, this is processed under a legal obligation (Children and Families Act 2014 which includes a duty on schools to support children with medical conditions);
* Safeguarding data is processed under the legal obligation of The Education Act 2002. Sections 21 and 175 detail how Trustee bodies of schools must promote the wellbeing of students and take a view to the safeguarding of children at the school.
* We collect and process student information to perform our official function (public task).
* Where it is carried out as a task in the public interest such as equal opportunities monitoring, for child protection purposes or where otherwise authorised by law, such as Departmental Censuses as required in the Education Act 1996.

Where you have provided us with consent to use your personal information, you may take back this consent at any time. We will make this clear when requesting your consent and explain how you withdraw your consent if you want to.

**Our basis for using special category data**

For special category data (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 data protection law:

* Where we have obtained your explicit consent to use your information in a certain way;
* When we need to use your information under employment, social security, or social protection law;
* When we need to protect an individual’s vital interest (i.e. protect your life or someone else’s life) in situations where you are physically or incapable of giving consent;
* Where the information has already been made obviously public by you;
* When we need to use it to make or defend legal claims;
* When we need to use it for reasons of substantial public interest as defined in legislation;
* Where we need to use it for health and social care purposes and it’s used by, or under the direction of, a professional obliged to confidentiality law;
* Where we need to use it for public health reasons and it is used by, or under the direction of, a professional bound by confidentiality under law; and
* When we need to use it for archiving purpose, and/or statistical purposes, and the use is in the public interest.

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

* We have obtained 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 are physically or legally incapable of giving consent;
* The data concerned has already obviously been made 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; and
* we need to use it for reasons of substantial public interest as defined in legislation.

Examples of data used for data collection purpose is the Education act 1996 – this information can be found in the census guide documents on the following website:

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

* Children and Families Act 2014 includes a duty on schools to support children with medical conditions;
* The Equality Act 2010 (England, Scotland and Wales) requires the school to make reasonable adjustments to ensure that children and young people with a disability are not put at a substantial disadvantage compared with their peers;
* The Education Act 2002, Sections 21 and 175 detail how Trustee bodies of schools must promote the wellbeing of students and take a view to the safeguarding of children at the school;
* Section 3 of the Children act 1989 places a duty on a person with the care of a child to do all that is reasonable in the circumstances for the purposes of safeguarding the child;
* Education Act 1996, relating to attendance at school.

**Collecting and storing student information**

Student data is essential for the schools’ operational use. Whilst the majority of student information you provide to us is mandatory, some of it is 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.

We collect student information in multiple ways:

* Transfer of electronic and physical data from another setting (such as previous school);
* Information given to us by the students in the school (such as work or behaviour reports);
* Information given to us by a parent or carer (such as information required when a child starts school); and
* Information provided to us from external agencies and organisations (such as the Local Authority)

Where we collect and hold student information, we endeavour to ensure all appropriate technical and organisational measures are in place to keep the data secure. Data will be kept for the duration as documented in our retention schedule, which can be requested by contacting the school office.

**Whom we share student information with**

We routinely share student information with:

* schools that the students attend after leaving us;
* our local authority;
* examinations bodies;
* admissions authorities;
* youth support services (students aged 13+);
* the Department for Education (DfE);
* suppliers that we have contracted with to provide educational services and those related to the operations of the school (see Appendix A);
* examination boards;
* the police, when investigating or preventing crime;
* courts and tribunals, when ordered to do so under the law;
* the student’s family and authorised representatives;
* health and welfare organisations;
* statutory research bodies;
* regulators, such as Ofsted or the Information Commissioner’s Office, when required to do so; and
* auditors and other professional bodies.

**Why we 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.

Where we share with third-party services, this will be in line with data protection law and specified in the agreements with those third-parties.

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 the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013 and under the Independent Educational Provision in England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018 which are made under the Education and Skills Act 2008.

**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; and
* 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 student at 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; and
* careers advisers.

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

Data is securely transferred to the youth support service using encrypted email or uploading information to a secure portal and kept for the duration as documented in our retention schedule.

**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 those data collections’ under;

Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013 and under the Independent Educational Provision in England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018 which are made under the Education and Skills Act 2008.

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 ‘How the Government uses your data section.

**How Government use 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 children and their characteristics in each school as well as staffing numbers and staff types.
* 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 Pupil Database (NPD)**

Much of the data about students in England is held by 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://find-npd-data.education.gov.uk.

**Sharing by the Department for Education (DfE)**

The law allows for the Department of 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://wwww.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 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 are holding it and any receipient 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 Eduvcation’s (DfE) personal information charter, which 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>

**Your rights**

You have rights associated with how your data is collected and processed. Not every right is absolute, but under certain circumstances you can invoke the following rights:

* Right of access
* Right of erasure
* Right of rectification
* Right to object to processing
* Right to be informed
* Right to data portability
* Right to not be subject to decisions based on automated decision making
* Right to restrict processing
* Right to seek compensation for damages caused by a breach of the Data Protection regulations.

The Data Protection Officer (DPO) is in a position to ensure your rights are supported. To contact the DPO or to make a right of access request (subject access request) use the contact details on the front of this notice.

**Concerns about how your personal data is handled**

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance using the contact information on the first page of this document.

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.

If you are dissatisfied, you can contact the Information Commissioner’s Office at <https://ico.org.uk/concerns/>