



Privacy Notice

Netherhall Learning Campus

2018/2019

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

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal / pupil premium / early years pupil premium eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment Information (such as Key Stage results)
- Medical conditions
- Special Educational Needs and Disability
- Behaviour and exclusions
- Education/school history
- Siblings information
- Post 16 learning information
- Trip activities
- Catering and free school meal management
- Identity management/authentication
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in a school

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

Why we collect and use this information

We use the pupil data:

- to provide free early education and childcare
- to support pupil learning
- administer Nursery admissions waiting lists
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard students
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us for DfE data collections

- to support students via careers guidance services (see Youth Support Services section) – to make pupils aware of education, employment and training opportunities where appropriate

This list is not exhaustive, to access the current list of categories of information we process please see data asset register held in school.

The lawful basis on which we use this information

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:
 - (c) Processing is necessary for compliance with a legal obligation to which the controller is subject;

Article 9

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.
2. Paragraph 1 shall not apply if one of the following applies:
 - (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on 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.

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy (shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research

Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

We collect pupil information via registration forms or data collection sheets at the start of the academic year and at regular update intervals. Pupil data is also collected via secure file transfers from school to school known as 'Common Transfer File (CTF)

Storing pupil data

We hold pupil data securely for a set amount of time in accordance with a data retention schedule (IRMS Records Management for Schools) which sets out how long we keep information about pupils.

- We keep personal information about pupils while they are attending a school on the Campus.
- We may also keep it beyond their attendance at a school if this is necessary in order to comply with our legal obligations.

Data Sharing:

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so. Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Learning providers that the pupils attend after leaving us
- our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- the Department for Education (DfE) - to meet our legal obligations
- NLC Federation
- School Health/ NHS/School Nursing Service
- Social Services
- Ofsted
- Police, courts, tribunals

We share pupils' data with our local authority (LA) and the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring. For further information go to

<http://www.kirklees.gov.uk/beta/information-and-data/how-we-use-your-data.aspx>

Schools and Early Years providers:

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About

Individual Pupils) (England) Regulations 2013. Sections 7 and 7A of the Childcare Act 2006 and section 2 of the Childcare Act 2016.

Data collection requirements:

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

Youth support services

Pupils aged 13+

Once pupils reach the age of 13 we also pass pupil information to C&K Careers which acts on behalf of Kirklees Council to provide local authority Youth Support Services to young people aged 13 to 19. The LA has responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996. We must provide the names and addresses of our pupils and their parents and any further information relevant to the support service's role

This enables them to provide services as follows:

- youth support services
- careers guidance services

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 [**J Ainley, school administrator**]. This right is transferred to the child / pupil once he/she reaches the age 16. Please tell the school administrator if you wish to opt out of this arrangement.

Pupils aged 16+

We will also share certain information about pupils aged 16+ with post-16 education and training providers in order to secure appropriate services for them, with our local authority and C&K Careers acting on behalf of Kirklees Council in providing Youth Support Services including careers guidance 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 provision
- youth support services
- careers information, advice and guidance, including a services which matches young people to vacancies

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

[J Ainley school administrator]. This right is transferred to the child / pupil once he/she reaches the age 16. Please tell the school administrator if you wish to opt out of this arrangement.

For more information about Kirklees Council's youth support services please go to C&K Careers service page at <http://ckcareersonline.org.uk/>

For information the National Careers Service page a <https://nationalcareersservice.direct.gov.uk/aboutus/Pages/default.aspx>

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education 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. 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.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

Requesting access to your personal data

Under data protection legislation, parents 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

[J Ainley school administrator/S Mattocks DP Officer].

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

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

- M Kent (Campus Principal)/S Mattocks (DP Officer)
Netherhall Learning Campus
Nether Hall Avenue
Huddersfield
HD5 9PG

Email: info@nlconline.org.uk

Telephone 01484 382140

Or

- Kirklees Council, Information Governance Team
Email: information.governance@kirklees.gov.uk

Telephone: 01484 221000

- Ministerial and Public Communications Division
Department for Education Telephone: 0370 000 2288
Piccadilly Gate
Manchester
M1 2WD

Website: <https://www.gov.uk/government/organisations/department-for-education>

Email: <http://www.education.gov.uk/help/contactus>