

## Privacy Notice – how we use student and family information

### What is a Privacy Notice?

There is a legal right to be informed about how the school uses any personal information that we hold about our students and their families. To comply with this, we provide a 'privacy notice' to you that explains how we collect, store and use personal data.

We, *Ellesmere College, 40 Braunstone Lane East, Leicester, Leicestershire LE3 2FD*, are the 'data controller' for the purposes of data protection law.

Our **Data Protection Officer** (DPO) is Sarah Treanor (see 'Contact us' below). The DPO ensures, in an independent manner, that an organisation applies the laws protecting individuals' personal data.

### The categories of student and family information that we collect, hold and share

We hold some personal information about students to make sure we can help them learn and look after them at school.

For the same reasons, we get information about students from other places – including other schools, the local council and the government.

This information includes:

- Personal information (such as name, unique student number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Special educational needs information
- Medical information (such as name of GP, relevant medical conditions)
- Behavioural information (such as behaviour incidents, exclusions)
- Assessment information (such as national curriculum assessments)
- School history (such as where students go when they leave us)
- Trips and activities participated in
- CCTV images
- Photographs and videos (with consent).

This list is not exhaustive, to access the current list of categories of information we process please contact the DPO.

## Why we collect and use student and family information

We collect and use student information, in order to:

- Get in touch with students and their parents when we need to check how students are progressing and work out what extra help they need
- Track how well the school as a whole is performing
- Look after students' health and wellbeing
- To comply with the law regarding data sharing.

## Our legal basis for using this data

We collect and use student and family information under:

- the Data Protection Act 1998 (DPA) and
- General Data Protection Regulation (GDPR) 'Article 6' (Lawfulness of processing) and 'Article 9' (Processing of special categories of personal data).
  - Our legal bases for processing data under article 6 are 'Processing is necessary for compliance with a legal obligation' and 'Processing is necessary for the performance of a task carried out in the public interest.'
  - Our legal basis for processing data under article 9 is 'Processing is necessary for reasons of substantial public interest.'

This means we will only collect and use student and family information when the law allows us to. Most often, we will use this information where:

- We need to comply with the law.
- We need to use it to carry out a task in the public interest (that is, in order to provide students with an effective education and make sure they are safe).

Sometimes, we may also use personal information where:

- Students, or their parents/carers have given us permission to use it in a certain way. This consent will be requested using our Pupil Information Booklet.
- We need to protect a student's interests (or someone else's interest).

Where we have got permission to use student/family data, students or parents/carers may withdraw this consent at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using student/family information overlap, and there may be several grounds which mean we can use this data.

## Collecting student information

Whilst the majority of student and family information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the GDPR, we will inform you 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 and family data for no longer than is necessary.

## Who we share student information with

We do not share personal information about students with anyone outside the school without permission, unless the law and our policies allow us to do so.

We share student information with:

- Our local authority Leicester City Council– to meet our legal duties to share certain information with them
- The Department for Education (DfE - a government department) - to meet our legal duties to share certain information with them
- Exam bodies
- Our regulator Ofsted - the organisation or “watchdog” that supervises us
- Leicestershire Partnership NHS Trust for delivery of child health services, such as inoculation programmes and school nurses.
- The Connexions service - to help with decision-making regarding students’ future plans.

We also provide student and family personal data to third party organisations which supply services to us for which the provision of the data is essential for the service to be provided. Decisions on whether to release this data are subject to a robust approval process, including the arrangements in place to store and handle the data. We currently provide student/family data for the following purposes:

- Systems needed for the delivery of our core services, e.g. SIMS, Inventry, Transport
- Systems integral to the operation of IT services
- Curriculum and assessment products, e.g. Classroom Monitor, Evidence for Learning, EVOLVE

A full current list is available on request.

## Why we share student information

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

We share students' and families' 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 Pupils) (England) Regulations 2013.

#### **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**

### **Students aged 13+**

Once our students reach the age of 13, we also pass student information to our local authority and/or Connexions 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 advice.

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.

### **Students aged 16+**

We will also share certain information about students aged 16+ with our local authority and/or Connexions 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 the [Leicester City Council website](#).

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

The NPD is owned and managed by the Department for Education 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. 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 students 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 students 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 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 student 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 student 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 personal data

Under data protection legislation, parents and students have the right to request access to information about them that we hold. This is called a Subject Access Request. To make a request for your personal information, or be given access to your child's educational record, contact **sar@ellesmere.leicester.co.uk**

You also have the right to:

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- 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 Ellesmere's Data Protection Officer: [dpo@ellesmere.leicester.co.uk](mailto:dpo@ellesmere.leicester.co.uk)