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## Privacy Notice - Data Protection Act 2018

We at Rachel Madocks School are the data controller for the purposes of the Data Protection Act. We collect information from you about your child(ren) and may receive information about them from their previous school and Hampshire County Council. We hold this personal data and use/share it to:

- Support your child(ren)'s teaching and learning;
- Monitor and report on their progress;
- Contribute to improving your child(ren)'s health and reducing inequalities;
- Provide appropriate pastoral care;
- Statistical forecasting and planning; and
- Assess how well their school is doing.
- To comply with the law regarding data sharing.

### **The categories of personal 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 eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons) and exclusions
- Assessment information
- Modes of travel
- Relevant medical, special educational needs and behavioural information

The General Data Protection Regulation (GDPR) allows us to collect and use all pupil information with consent, where we are complying with a legal requirement, where processing is necessary to protect the vital interests of your child/ren or another person and 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.

Our requirement for this data and our legal basis for processing this data includes the Education Act 1996, 2002 and 2011, The Childrens Act 1989 and 2004, Education

and Skills Act 2008, Schools Standards and Framework Act 1998 and the Equalities Act 2010.

All data collected and pupil information used is done so in accordance with Article 6 (Lawfulness and processing) and Article 9 (Processing of special categories of personal data) of the GDPR.

### **Collecting personal information**

Whilst the majority of personal information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with GDPR, we will inform you whether you are required to provide certain personal information to us or if you have a choice in this. Where we are using personal information only on the basis of your permission, you may ask us to stop processing this at any time.

### **Storing personal data**

We hold pupil data in accordance with Hampshire County Council's retention schedule. We are happy to share a copy of this schedule if required.

### **Who do we share pupil information with?**

We routinely share pupil information with:

- schools that pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)

We also have local arrangements in place where the school exchanges information with the school nurse, the extended schools provide, physio, speech & language and occupational therapists, paediatric health practitioners, educational psychologists and social care practitioners for children and adults.

### **Aged 14+ qualifications**

For pupils enrolling for post 14 qualifications, the Learning Records Service will give us a pupil's unique learner number (ULN) and may also give us details about the pupil's learning or qualifications

### **Why we share pupil information**

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

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

### **Youth support services**

#### **What is different about pupils aged 13+?**

Once our pupils reach the age of 13, we also pass pupil 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/guardian/carer 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 / pupil once he/she reaches the age 16.

### **Our pupils aged 16+**

We will also share certain information about pupils 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.

### **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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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, 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>

#### **For Hampshire County Council:**

The County Council has their own privacy notice, which can be accessed via the following link: <https://www.hants.gov.uk/aboutthecouncil/privacy>

To see how your information is used by the LA:

<http://www3.hants.gov.uk/education/schools/schoolsdataprotection.htm#section242880-3>

#### **Requesting access to your personal data**

Under data protection legislation, parents/carers 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 Clare Smy. Email [adminoffice@rachelmadocks.hants.sch.uk](mailto:adminoffice@rachelmadocks.hants.sch.uk). Tel: 02392 241818

You also have the right, subject to some limitations 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, 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/>

**Contact:**

If you would like to discuss anything in this privacy notice, please contact Clare Smy, our Data Protector Officer. Email [adminoffice@rachelmadocks.hants.sch.uk](mailto:adminoffice@rachelmadocks.hants.sch.uk). Tel: 02392 241818

Yours sincerely

Niki Wilson  
Headteacher