

Privacy Notice for Pupils, Parents and Guardians

Privacy Notice (How we use pupil information)

Why do we collect and use pupil information?

You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This privacy notice explains how we collect, store and use personal data about you.

The National Autistic Society Academies Trust is a data controller for the purpose of the Data Protection Act.

We collect and process pupil information as part of our public functions in accordance with requirements set out in certain laws/regulations including but not limited to: The Data Protection Act 1998 and General Data Protection Regulation, the Education Act 2005; Safeguarding Vulnerable Groups Act 2006 and the Keeping Children Safe in Education guidance.

We hold this personal data and use it to:

- support teaching and learning
- monitor and report on progress
- provide appropriate pastoral care
- assess the quality of our services
- keep children safe
- comply with the law regarding data sharing

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

- Personal information (such as name, unique pupil number (UPN), unique learner number (ULN) for pupils aged over 14, contact details 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)
- Safeguarding information (such as court orders and professional involvement)
- School History information
- Assessment and attainment information. Any prior learning or qualifications that you have undertaken may also be obtained from the Learning Records Service and previous school(s)
- Exclusions/behavioural information
- Relevant medical and dietary information
- Special educational needs information
- Post 16 learning information
- Photographs
- CCTV Images

Collecting pupil information

Pupil data is essential for the schools' operational use. 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.

Storing and retaining pupil data

We set our retention of pupil data periods using guidelines in the Information Record Management for Schools document (IRMS).

Nature of Documentation	Retention
Admissions and leavers register	Permanent
Accident records	DOB + 25 years
Pupil's Educational Record (including attendance record) unless transferring to another school)	DOB + 25 years
Special Educational Needs files, reviews and Individual Education Plans and therapeutic assessments	DOB + 25 years
Exam and assessment data Results (School's Copy)	Current Year + 6 Years
Pupil's Work	Current Year + 1 Year
Parental permission slips for school trips	Conclusion of the trip (where no major incident has occurred, otherwise DOB +25 years.)
Attendance Registers (Class). (Individual attendance record is held in the pupil's educational file.)	Date of register + 3 Years
Financial records	Current year + 6 years
Data Capture Forms	Most current retained in pupil educational file
School Census Returns	Current year + 5 Years
Attendance Returns	Current Year + 1 Year
Admission Pack Consent Forms	DOB + 25 years
CCTV footage	30 calendar days providing there is no incident

How will my information be stored?

Both paper and electronic information is held in school.

Any confidential paper records are kept in a locked filing cabinet or drawer with restricted access.

Electronic data is held on our local school server which is regularly backed up off-site. Off Site backup data is stored in a digitally encrypted format.

A range of electronic systems are used in order to carry out the school's operational activities. Some of these may store pupil data on our behalf. The school will not enter into any agreement with an operational provider required to store pupil data on our behalf without a third party guarantee of compliance with the GDPR legislation. Current systems include, but are not limited to:

- The school's Management Information System – Bromcom Ltd
- The school's Signing In System - Inentry Ltd
- The school's safeguarding and child protection system - CPOMS Systems Ltd

In addition, a range of educational providers are also used for curriculum-based activities who may process pupil data on our behalf (third party processors). The school will not enter into any agreement with an educational provider without a third party guarantee of compliance with the GDPR legislation. Current providers include, but are not limited to:

- Renaissance Learning UK Ltd
- Small Talk Speech and Language Therapy Ltd
- ASM Sports (UK) Ltd
- Classroom Monitor
- The Love Music Trust Ltd
- My Maths (Oxford University Press) Ltd
- Q-Global (Pearson)
- Reaseheath College
- *GL Assessment (DPIA in progress)*

Who do we share pupil information with?

We routinely share pupil information with:

- Schools that pupils attend after leaving us
- Further Education and Work Experience Placement Providers
- Dual Placement Providers
- Our local authorities – Cheshire East, Cheshire West & Chester, Stoke-on-Trent, Staffordshire, Manchester and Stockport

- The Department for Education (DfE)
- The National Autistic Society
- School Nurse/NHS
- Learner Records Service
- Youth Support Services (pupils aged 13+)
- Educators and examining bodies
- Our regulator (Ofsted)
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Health authorities (NHS)
- Health and social welfare organisations
- Professional advisers and consultants
- Police forces, courts, tribunals
- Professional bodies

We may also share data with other professionals/contractors if a pupil has signed up to a club or event (e.g. a musical instrument tutor).

Why we share pupil information

We do not share information about our pupils with anyone without consent unless the law allows 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.

We are required to share information about our pupils with the (DfE) under regulation 5 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/datacollection-and-censuses-for-schools>.

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 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 in writing. This right is transferred to the child/pupil once he/she reaches the age 16.

For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications. We provide them with these pupils' names and addresses, dates of birth and any other information relevant to their role.

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

A pupil once they reach the age of 16 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 in writing.

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

<https://www.cheshireeast.gov.uk/livewell/livewell.aspx>

or the National Careers Service page

<https://nationalcareers.service.gov.uk/about-us>

Department for Education

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 pupils 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 Pupils) (England) Regulations 2013.

All data is transferred securely and held by the DfE under a combination of software and hardware controls, which meet the current government security policy framework.

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>.

The department may share information about our pupils from the National Pupil Database 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:
- 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 in compliance with the GDPR.

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>

If you require more information about how the Local Authority store and use your information, then please go to the following website

https://www.cheshireeast.gov.uk/council_and_democracy/council_information/data_protection/data_protection.aspx

Will this information be used to take automated decisions about me?

We do use software that gives us an indication of the level pupils are working at, however this does not take away the human element of assessment. We use this information as a guide only. Current software that we use in this way is:

- Accelerated Reader
- Accelerated Maths
- Classroom Monitor
- Q-Global (Pearson)

Will my data be transferred abroad and why?

Where we share data with an organisation that is based outside of the United Kingdom, we will protect your data by following data protection law.

Data is stored but not processed abroad by Microsoft and Apple. These services are intrinsic to the operational running of the school. Both companies are certified as compliant with GDPR and do not carry out any further processing of the data.

Please follow the links below for further information:

<https://www.apple.com/legal/privacy/en-ww/governance/>

<https://www.microsoft.com/en-gb/trust-center/privacy>

The Pearson Platform and the personal data it processes is hosted by Amazon Web Services in Canada where the law relating to the processing of personal data is regarded by the European Commission as adequate to protect the rights and freedoms of individuals located in the European Union. Such personal data is transferred to Canada under an adequacy decision of the European Commission with regard to transfers of data outside of the European Union, and such transfers will also be conducted in accordance with applicable local law. Pearson has entered into an intra-group agreement with its affiliates outside the EEA on terms equivalent to those contained in the 'model clause' agreements approved by the European Commission which provide safeguards for individuals whose personal data is transferred outside the EEA

Please see the link below for further information: <https://www.pearsonclinical.co.uk/q-global/q-global.aspx?tab=5>

Your rights

Requesting access to your personal data

You have the right under the Data Protection Act 1998 (General Data Protection Regulation) to request a copy of your information through a 'subject access request' and to know what it is used for and how it has been shared. This is called the right of subject access.

To make a request for your personal information, or be given access to your child's educational record, contact James Trethowan, Data Protection Officer at james.trethowan@nas.org.uk

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, 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/>

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent (for example use of photographs on the school Facebook page), 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 the Principal principal@naschurchlawton.cheshire.sch.uk or our data protection officer james.trethowan@nas.org.uk

Contact:

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

- The School Principal by email at principal@naschurchlawton.cheshire.sch.uk or by telephone: 01270 877601