# Berwick Middle School

# Privacy Notice for Pupils

# Date: 26/04/2024

Data Protection Officer: Margaret Arksey

01289 306140

# Privacy notices for pupils

Under the General Data Protection Regulations (GDPR), individuals have a right to be informed about how the school uses any personal data that we hold about them.

# How we use your personal information

This summary provides information on the kinds of personal data we hold as a school and why and how we might use it. The appendix at the end of the summary provides full details of all the personal data items we use and how they are used.

Schools use a variety of personal data as part of their work and we take great care to ensure that this information is kept safe and secure. Personal data includes things like names, addresses and age. Information that we need in order to comply with our role in educating pupils.

Most of this data is essential and does not require your consent to use it.

Some personal data is not essential and for that, depending on age, we require the consent of either the pupil or parent. An example of the kind of data that needs consent would be using pupil photographs on the website.

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

- Personal information (such as name, unique pupil number and address, contact details, contact preferences, date of birth)
- Characteristics (such as ethnicity, language, nationality, country of birth, free school meal eligibility or special education needs)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured on the school site

# Why we collect and use this information

We use the pupil data:

- to support pupil learning
- 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

## The lawful basis on which we use this information

We collect and use pupil information under the Education Act 1996 and under section 6(1)(b) of the General Data Protection Regulations 2018 - Processing is necessary for a variety of legal reasons but usually falls into one of the following headings:

Necessary for the performance of an official task in the public interest, to comply with a legal duty, the performance of a contract with the subject and also with the consent of the individual, parent or guardian.

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

## 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 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.

## Who we share the information with

We routinely share pupil information with:

- Schools 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
- The pupil's family and representatives
- 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
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisors and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

Depending on the type of school we also share with all other parties, for example, academy chains, federations or Multi Academy Trusts (MATs), school nurse, NHS, examination boards. A full list of the other parties we share data with is recorded in the School Privacy Notice details section.

# Why we share pupil information

We do not share information about our pupils with anyone without consent unless the law and our polices 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 education attainment policy and monitoring.

Local Authority schools are required to share information about their 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.

Academies and Free schools are required to share information about their pupils with the DfE under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Pupil referral units are required to pass information about our pupils to the DfE under regulation 4 of The Education (Information About Individual Pupils) (England) Regulations 2013.

# Data collection requirements

To find out more about data collection requirements placed on us by the DfE (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, schools 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 service
- careers and advisers

A parent or guardian can request that only their child's name, address and date of birth is passed to their 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.

# Pupils aged 16+

Schools 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 DfE and contains information about pupils in schools in England. It provides invaluable evidence on education 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 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 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
- providing 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 the 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 the 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 https://www.gov.uk/government/publications/national-pupil-database-requests-received"

To contact the DfE: "https://www.gov.uk/contact-dfe"

# Requesting access to your 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 to be given access to your child's education record, contact the school administrator or data protection 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, deleted or destroyed
- claim compensation for damages caused by a breach of the Data Protection regulations

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

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 Commissioners Office at "https://ico.org.uk/concerns"

The appendix added to this privacy notice provides details on the actual personal data we hold in our different systems, both electronic and paper and we believe that by reviewing this pupils, parents, staff and governors will be reassured that the data we process is only that which is necessary for the role in educating pupils.

# Contact

If you would like to discuss anything in this privacy notice please contact: Margaret Arksey, Lovaine Terrace, Berwick-upon-Tweed, Northumberland, TD15 1, 01289 306140