



## Privacy Notice (How we use pupil information)

### Why do we collect and use pupil information?

We collect and use pupil information under Section 537A of the Education Act 1996, Section 83 of the Children Act 1989 and "Article 6" and "Article 9" of the General Data Protection Regulation (GDPR).

*Article 6 (GDPR) condition: Processing is necessary for compliance with a legal obligation to which the data controller is subject.*

*Article 9 (GDPR) condition: For substantial public interest on legal basis.*

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
- to Ensure that we meet our statutory obligations including those related to diversity and equality
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us by the Department for Education.

We may also receive information from their previous school or college, local authority, the Department for Education (DfE) and the Learning Records Service (LRS).

The information you supply is used by the Learning Records Service (LRS). The LRS issues Unique Learner Numbers (ULN) and creates Personal Learning records across England, Wales and Northern Ireland, and is operated by the Education and Skills Funding Agency, an executive agency of the Department for Education (DfE). For more information about how your information is processed, and to access your Personal Learning Record, please refer to: <https://www.gov.uk/government/publications/lrs-privacy-notice>

**Note:** Schools and local authorities have a (legal) duty under the GDPR to ensure that any personal data they process is handled and stored securely.

### 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 eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- National curriculum assessment results
- Special education needs information

- Relevant medical information
- Safeguarding Information (Such as court orders and professional involvement)
- Medical and administration (Such as doctors' information, child health, dental health, allergies, medication and dietary requirements)
- Assessment and attainment (Post 16 and 18 learning information such as courses enrolled for and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)

For details of what we collect, hold and share, please visit the Information Commissioner's Office (ICO) Data Protection Register on <https://ico.org.uk/esdwebpages/search> and enter registration number Z747445X

### **Collecting pupil information**

We collect pupil information at the start of the school year via Common Transfer File (CTF).

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 and we will tell you what you need to do if you do not want to share this information with us.

### **Storing pupil data**

We hold your education records securely in line with retention guidelines until you change school. Your records will then be transferred to your new school, where they will be retained until you reach the age of 25, after which they are destroyed securely.

There are strict controls on who can see your information. We will not share your data if you have advised us that you don't want it shares unless it is the only way we can make sure you stay safe, healthy or we are legally required to do so.

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

We will only provide personal information to an external organisation or individual for the purposes set out above or in order to help prevent; risk of harm to an individual, or if required to do so by law or under a data sharing agreement.

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)
- External agencies to support students during their time in education where this is in the students vital or legal interest.
- Youth support services
- NHS including the School nurse (*for inoculations, etc*)
- External companies to support students and the running of the school including, but not limited to, school management information systems (SIMS), library management, cashless catering, behaviour management systems

## **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 information about our pupils 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.

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.

## **Data collection requirements:**

### **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. This right is transferred to the child / pupil once he / she reaches the age of 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 72 of the Education and Skills Act 2008.

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.

## **Department for Education (DfE)**

The Department for Education collects personal data from educational setting and the local authority via various statutory collections. We are required to share information about our pupils with the Department for Education either directly or via the local authority for the purpose of those data conditions, under; section 3 of The Education (Information about Individual Pupils) (England) Regulations 2013

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>.

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

## **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 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>

### **Local Authority**

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under; the School Admission Code, including conduction Fair Access Panels.

### **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 the Director of Support Services at [office@burnsidecollege.org.uk](mailto:office@burnsidecollege.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, 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 Director of Support Services at [office@burnsidecollege.org.uk](mailto:office@burnsidecollege.org.uk)

### **Contact:**

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

- **Director of Support Services**  
Burnside College  
St Peters Road  
Wallsend North Tyneside,  
NE28 7LQ  
Tel No: (0191) 259 8500  
Email: [office@burnsidecollege.org.uk](mailto:office@burnsidecollege.org.uk)
- **Data Protection Officer (for Schools)**  
Law and Governance

North Tyneside Council  
Quadrant  
North Tyneside, NE27 0BY  
Tel No: (0191) 643 2333  
Email: [DPO.Schools@northtyneside.gov.uk](mailto:DPO.Schools@northtyneside.gov.uk)

### **Changes to our privacy policy**

We keep this policy under regular review, and we will place any updates on our website at <http://www.burnsidecollege.org.uk/>