



# The South Downs School

## Privacy Notice

### (How we use pupil information)

The South Downs School processes personal information about its pupils and is a 'data controller' for the purposes of Data Protection legislation. We collect information from you and may receive information about your child from their previous school.

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

- personal information (such as name, unique pupil number and contact details)
- 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)
- assessment information (such as internal and external testing)
- relevant medical information (such as NHS information)
- special educational needs information (such as EHCPs)
- safeguarding information
- exclusions / behavioural information
- photographs and CCTV images
- payment details

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

## Why we collect and use this information

We use the pupil and parent/carer data:

- for safeguarding and pupil welfare purposes
- For research purposes
- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral and medical care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to direct funding such as the pupil premium grant
- to inform you about events and other things happening in school
- to comply with the law on data sharing

## The lawful basis on which we use this information

Our lawful basis for collecting and processing pupil information is defined under Article 6, and the following sub-paragraphs in the GDPR apply:

- (a) Data subject gives consent for one or more specific purposes.
- (c) Processing is necessary to comply with the legal obligations of the controller.
- (d) Processing is necessary to protect the vital interests of the data subject.
- (e) Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).

Our lawful basis for collecting and processing pupil information is also further defined under Article 9, in that some of the information we process is deemed to be sensitive, or special, information and the following sub-paragraphs in the GDPR apply:

- (a) The data subject has given explicit consent.
- (b) It is necessary to fulfil the obligations of controller or of data subject.
- (c) It is necessary to protect the vital interests of the data subject.
- (d) Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions)
- (g) Reasons of public interest in the area of public health
- (i) It is in the public interest

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.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

## **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 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. 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.

## **Storing pupil data**

We hold pupil data whilst the child remains at South Downs School. However, where there is a legal obligation to retain the information beyond that period, it will be retained in line with government policy.

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

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority (LA)
- the Department for Education (DfE)
- the pupil's family/carers and representatives
- the Southfield Trust
- health and social welfare organisations
- professional advisers and consultants
- charities and voluntary organisations
- police forces, courts, tribunals
- 'Classroom Monitor'
- 'Call Parent'
- CASPA
- Capita SIMs
- educators and examining bodies
- Ofsted
- suppliers and service providers

## Why we share pupil information

We do not share information about our pupils 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 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/data-collection-and-censuses-for-schools>.

## 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 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>

## **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 through a *Subject Access Request*. To make a request please contact the Head of School ( [officesdsw@thesouthfieldtrust.com](mailto:officesdsw@thesouthfieldtrust.com) or 01323 730302). 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

You also have the right :

- to object to processing of personal data that is likely to cause, or is causing, damage or distress
- to prevent processing for the purpose of direct marketing
- to 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/>

## **Data Protection Officer**

The South Downs School's Data Protection Officer is the ESCC Data Protection Service.