

Pathways Learning Centre

Privacy Notice (How we use pupil information)

Why do we collect and use pupil information?

We collect and use pupil information under GDPR Article 6 - Lawfulness of processing

1(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes; [examples include permission for use of photos on the school website]

1(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;

1(c) processing is necessary for compliance with a legal obligation to which the controller is subject;

1(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;

1(e) 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;

And under Article 9 - Processing of special categories of personal data

2 (b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

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 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)
- Assessment information,
- Relevant medical information,
- Special educational needs information,
- Exclusions / behavioural information
- CCTV

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.

Storing pupil data

We hold pupil data for the time specified in the school's data retention policy.

Who do we share pupil information with?

We routinely share pupil information with:

- Schools that the pupil's attend before joining us
- The school the pupil attend after leaving us
- Our local authority
- The Department for Education (DfE)
- Sims (management information service)
- Teachers to parents (text service)
- My Concern (safeguarding system)

You should be aware that PLC **may** share personal data with other providers, However, PLC will not share personal data with these organisation unless PLC deem it necessary to enact its duties. You can find a full list of these suppliers on our website.

Your local council is a partner in Connecting Care, a project which links social care information with health information.

The Connecting Care Local Record is a new way for staff who are directly involved in a child's care to share relevant information about their care in a way that is secure, controlled, consistent and efficient. It allows health and local council staff who are directly involved in a child's care access to a summary of existing records, such as those held by the GP, hospital or social care provider.

Staff who are directly involved in a child's care, will only access their record with a legitimate reason, and if they can, they will ask your permission before they look at it.

The Connecting Care Record will contain information such as:

- Who is involved in a child's care;
- Any allergies they have;
- Medications;
- Recent appointments (but only whether they were attended, this will not include any information about what was discussed at that appointment);
- Diagnoses.

The Connecting Care record will not contain information about conversations with the GP or any information on sensitive subjects such as sexual health. Staff who have a responsibility for designing services to improve children's general well-being will also have access to relevant information from the record. The detail that staff can see is linked to the job they do. If for their job they don't need to see specific information, they cannot see it.

If you require further information about Connecting Care please contact PALS 0800 073 0907, or visit <https://www.southgloucestershireccg.nhs.uk/about-us/how-we-use-your-information/connecting-care/>

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.

[For use by pupil referral units only:]

We are required to pass information about our pupils to the Department for Education (DfE) under regulation 4 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>.

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 [insert name of school administrator]. This right is transferred to the child / pupil once he/she reaches the age 16.

[For use by educational settings with students aged 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 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 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 School Business Manager

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/>

Contact:

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

- School Business Manager. Email: SBM@Pathwayslearningcentre.org

Data Sharing

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required or necessary (and it complies with data protection law), we may share personal information about pupils with:

- Our local authority – to meet our legal obligations to share certain information with it , such as safeguarding concerns and exclusions
- The Child Health Information System – supporting the effective delivery of child health services
- The Department of 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 (e.g. sending text messages, making payments, mentoring etc.)
- Central and local government
- Health authorities
- Security organisations
- Health and social welfare
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

If you require a list of our current suppliers and service providers please contact the school office on 01454 862630 or email Office@Pathwayslearningcentre.org.