

Privacy Notice (Use of your and your child's personal data)

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use your personal data and data about your child/pupils.

We, North Somerset Enterprise and Technology College are the 'data controller' for the purposes of data protection law.

Our data protection officer is James Whitbread (see 'Contact us' below).

The categories of personal data that we collect, process, hold and share include:

Personal data that we may collect, use, store and share (when appropriate) about pupils and/or parents/guardian includes, but is not restricted to:

- personal information (such as name, unique pupil number and address);
- characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility);
- photographs including the use of photographs on social media;
- attendance information (such as sessions attended, number of absences and absence reasons);
- information about special educational needs and disabilities (SEND) including whether a child is the subject of a statement of SEND or holds an Educational Health Care Plan (EHCP);
- information about pupil premium funding or Free School Meals;
- information about safeguarding including child in need, child protection categorisation;
- medical support needs;
- details of exclusions and behavioural information;
- post 16 learning information.
- results of internal assessments and externally set tests
- pupil and curricular records
- CCTV images captured in school

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 pupil and parental/guardian data:

- to support pupil learning
- to protect pupil welfare
- 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 contact parents/guardian when necessary

The lawful basis on which we process this information

We collect and use pupil information under Article 6, and Article 9 where data processed is special category data from the GDPR 25 May 2018:

“1. Processing shall be lawful only if and to the extent that at least one of the following applies:
(a) the data subject has given **consent** to the processing of his or her personal data for one or more specific purposes;

(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;”

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

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 this information

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

Storing this information

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations.

We hold the following pupil data for the stated amount of time:

- Admissions registers 6 years from date of last entry

- Class registers – date of register plus 3 years
- Pupil files needs to be retained until the pupil reaches 25 years of age or in the case of physical restraint the pupil reaches 75 years of age.

For all other data we hold, we will continually:

- review the length of time (where not specified by law) we keep personal data
- consider the purpose or purposes that we hold the information for in deciding whether (and for how long) to retain it;
- securely delete information that is no longer needed for this purpose or these purposes;
- update, archive or securely delete information if it goes out of date or is no longer required

Who we share pupil information with

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 and/or parents/guardians with:

- schools that the pupil's attend after leaving us
- our local authority
- other agencies where required (i.e. health, social care)
- the Department for Education (DfE)
- the Multi Academy Trust
- Weston College Group (for enrolment purposes)
- ParentMail (limited parental/guardian contact information with consent)

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 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>.

National Pupil Database

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

Youth support services

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 or 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 16.

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.

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 Mr Whitbread via 01934 411477.

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, 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/>

Contact

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

Mr Whitbread via 01934 411477.