

Privacy Notice (How We Use Pupil Information)

Introduction

Birches Head Academy collect a significant amount of information about our pupils. This notice explains why we collect the information, how we use it, the type of information we collect and our lawful reasons to do so. Birches Head Academy is the data controller of the personal information you provide to us. SBM Services Ltd are the school's Data Protection Officer and they oversee our data protection procedures to ensure our compliancy.

Why Do We Collect Data?

We collect and use the pupil data to:

- Fulfil our statutory obligations to safeguard and protect children and vulnerable people.
- Ensure good communication with our parents/carers.
- Enable targeted, personalised learning for pupils.
- Manage behaviour and effective discipline.
- Monitor our effectiveness.
- Comply with our legal obligations to share data.
- Support pupils to fulfil their potential.
- Keep pupils, parents and carers informed about academy events and news.
- Protect and safeguard pupils.

Our Legal Obligations

We must make sure that information we collect and use about pupils is in line with the General Data Protection Regulations (GDPR) and Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share this data with another organisation or individual we must have a legal basis to do so.

The lawful basis for schools to collect information comes from a variety of sources, such as the Education Act 1996, Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013, Article 6 and Article 9 of the GDPR.

The Department for Education and our Local Authority require us to collect certain information and report it back to them. This is called a 'public task' and is recognised in law as it is necessary to provide the information.

We also have obligations to collect data about children who are at risk of suffering harm, and to share that with other agencies who have a responsibility to safeguard children, such as the police and social care.

We also share information about pupils who may need or have an Education Health and Care Plan (or Statement of Special Educational Needs). Medical teams have access to some information

about pupils, either by agreement or because the law says we must share that information, for example school nurses may visit our academies.

Counselling services, careers services, occupational therapists are the type of people with whom we will share information, so long as we have consent or are required by law to do so.

We must keep up to date information about parents and carers for emergency contacts.

How We Use the Data

Birches Head Academy also uses various third-party tools to make sure our pupils' best interests are advanced. We also record details about progress, attainment and pupil development to support future planning and learning.

We Use Software to Track Progress and Attainment

We use data to manage and monitor pastoral needs and attendance/absences so that suitable strategies can be planned if required.

We use systems to take electronic payments for school meals. This includes financial software to manage academy budgets, which may include some pupil data.

Data can be used to monitor our effectiveness, the impact of intervention and learning styles across groups of pupils as well as individual children.

We may use consultants, experts and other advisors to assist Birches Head Academy in fulfilling its obligations and to help run the academy properly. We might need to share pupil information with them if this is relevant to their work.

We also use contact information to keep pupils, parents, carers up to date about the academy events.

What Type of Data is Collected?

The DfE and Government requires us to collect a lot of data by law, so that they can monitor and support schools more widely, as well as checking on individual schools' effectiveness.

The categories of pupil information that Birches Head Academy collects, holds and shares include the following:

- Personal information – for example names, pupil numbers and addresses.
- Characteristics – for example ethnicity, language, nationality, country of birth and free school meal eligibility.
- Attendance information – for example, number of absences and reasons for absence.
- Assessment information – for example, national curriculum assessment results.
- Relevant medical information.
- Information relating to SEND and health needs.
- Behavioural information – for example number of temporary exclusions, behaviour record/log.

- CCTV, photographs and video recordings of you are also personal information.

Storing Pupil Data

We hold pupil data in line with Birches Head Academy Retention Policy Document, please ask to see a copy of this by contacting Birches Head Academy on the contact details below.

Who We Share Pupil Information With

We routinely share pupil information with:

- Pupils' destination upon leaving an Academy, for example, other schools/academies and colleges, pupil referral units
- Our Local Authority.
- The Department for Education (DfE).
- School Nursing Service/ NHS
- The Police/Social Services
- 'One Staffordshire'
- Education Welfare Service
- Catering Service
- Examination Boards
- Counselling Services
- Mental Health Support Agencies
- Assessment monitoring & tracking service providers
- Other members of the Alpha Academies Trust

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 GDPR, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

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 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>.

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 carer 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.

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 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 that 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.
- 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 Birches Head Academy's Office Manager at Birches Head Academy, Birches Head Road, Stoke on Trent ST2 8DD, telephone, 01782 233595, email address, info@bircheshead.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.
- 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:

Birches Head Academy's Office Manager at Birches Head Academy, Birches Head Road, Stoke on Trent ST2 8DD, telephone, 01782 233595, email address, info@bircheshead.org.uk

More Information about Data Protection and our Policies

How we manage the data and our responsibilities to look after and share data is explained in our Data Protection policy and connected policies which are also available on our website.

If you feel that data about your child is not accurate, or no longer needed please contact the Academy Office. Our Complaints policy explains what to do if there is a dispute. Subject Access Requests are dealt with by the specific policy on the website.