



# Privacy Notice

## Student information

### Introduction

We, The Bishop of Winchester Academy, are the “data controller” for the purpose of data protection law and the school has a Data Protection Officer whose role is:

- To inform & advise the school & its employees about their obligations to comply with GDPR & other data protection laws
- To monitor compliance with the GDPR & other data protection laws, including managing internal data protection activities, advise on data protection impact assessments, train staff & conduct internal audits
- To be the first point of contact for supervisory authorities & for individuals whose data is processed (employees, customers, etc)

### The categories of Student 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)
- Safeguarding information
- Special Education needs information
- Medical information (such as allergies)

### Why we collect and use this information

We use the student data:

- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

### The lawful basis on which we use this information

GDPR sets out why organisations might lawfully use personal information. We collect and use student information because it 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 (under Article 6, section e)

Information held on children, or about health, social needs and ethnicity is classed as Special Category data and is processed under Article 9 a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes.

## Collecting Student information

Whilst the majority of student information you provide to us is required by law, 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 student information to us or if you have a choice in this.

## Storing student data

We are required to hold information on our students until their 25<sup>th</sup> birthday.

## Who we share student information with

We routinely share student information with:

- schools that the student's attend after leaving us
- our local authority
- the Department for Education (DfE)

## Why we share student information

We do not share information about our students with anyone without consent unless the law and our policies allow us to do so.

We share students' 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 students 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>.

## Youth support services

### Students aged 13+

Once our Students reach the age of 13, we also pass student 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 advice

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 / student once he/she reaches the age 16.

## **Students aged 16+**

We will also share certain information about students 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 students 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 students 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 students 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 [GDPR@tbowa.org](mailto:GDPR@tbowa.org)

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
- where we are not required to hold the information by law you may be able to have it blocked, erased or destroyed
- have inaccurate personal data rectified, 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/>

## **Right to Erasure**

Individuals hold the right to request the deletion or removal of personal data where there is no compelling reason for its continued processing. This is also known as "the right to be forgotten" under Article 17 of the GDPR.

The request can be verbal or in writing and to any member of staff. We will respond within one month of receiving your request and comply if the request does not contradict the mandatory requirements placed upon us. If we are unable to respond within one month, we will let you know why. If the request is complex, we may extend the time by two months but will advise you within the one month why an extension has been necessary.

We may require identification before processing your request, in these circumstances, the one month limit would start once we had received the identification.

## **Contact**

If you would like to discuss anything in this privacy notice, please see our website for the contact details; <https://www.tbowa.org>