SOUTH DOWNS
LEARNING TRUST

Privacy Notice - Secondary Students

Date Approved	October 2024
Date of next Review	September 2025
Status	Mandatory
Lead Author	Mark Hatton (based on ESCC model)

Privacy notice will also be updated in line with UK GDPR change

All our policies support our vision and are based on our core virtues

Compassion – Respect – Creativity – Teamwork – Effort - Responsibility

Developing caring, confident and creative students who achieve excellence

SDLT Privacy Notice

(How we use pupil information)

South Downs Learning Trust (SDLT) 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 you from your previous school and the Learning Records Service. If you are enrolling for post-14 qualifications, the Learning Records Service will give us your unique learner number (ULN) and may also give us details of any learning you have done in the past or any qualifications you have.

The categories of pupil information that we collect, hold and share includes, but is not restricted to:

- personal information (such as name, unique pupil number and address)
- personal information about the child's parent/s or carer/s (such as name and contact details in order to contact you about your child)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- attendance information (such as sessions attended, number of absences, absence reasons and previous schools attended)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctor's information, child health, dental health, allergies, medication and dietary requirements)
- assessment and attainment (such as post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- images (such as in photographs, video and CCTV footage)

Why we collect and use this information

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

We collect and use pupil information, for the following purposes:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to keep children safe (food allergies, or emergency contact details)
- to assess the quality of our services
- to meet the statutory duties placed upon us
- to ensure children have appropriate access to healthcare
- to preserve the school's history and collective memory
- to administer admissions waiting lists and appeals

The lawful basis on which we use this information

Under the General Data Protection Regulation (UK GDPR), the school is required to identify a valid lawful basis for each processing activity involving personal data. We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We have to collect and process personal data to enable us to comply with a legal obligation.
- We need it because we are acting in the public interest or exercising our official authority.

We may also process pupils' personal data in situations where:

- We have obtained consent from you to use it in a certain way.
- We have a genuine and legitimate reason and we are not harming any of your rights and interests.

As a school, we also collect and use special category data, both to provide education and comply with our legal obligations. We have therefore identified additional lawful bases from Article 9 of the UK GDPR. Most commonly, we process special category data where:

- We have gained explicit consent for the processing.
- Processing is necessary for reasons of substantial public interest.
- We are required to for reasons of "public health", for example during a pandemic.

Please see the school's Special Category Data policy for more information about how we process this type of data. This policy can be found on our website: Key Information - South Downs Learning Trust (sdlt.org.uk)

Where we keep records and information containing personal data for a longer time, we do this for archiving purposes in the public interest. We keep these records to preserve the school's history, key events and collective memory. We will provide access to these records for research or statistical purposes, taking reasonable measures to protect the personal data they may contain.

How we collect pupil information

We collect pupil information via student information forms at the start of the school year, parent updates on the Edulink app, Common Transfer File (CTF) or secure file transfer from previous school.

Pupil data is essential for the schools' operational use. 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 UK 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 securely for the length of time outlined in our school retention schedule. The school retention schedule is available on our school website: Key Information - South Downs Learning Trust (sdlt.org.uk)

We will keep a limited and reasonable amount of personal information for a longer time, where it appears in records that are of historic value or it is in the public interest to keep as part of the school's history and collective memory. We store these records securely in our school archive for permanent preservation.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)
- NHS and school nurse
- Youth support services (pupils aged 13+)
- Traded services purchased through the LA (e.g. for Legal, Human Resources or Information Governance Support)
- Learning platforms or software providers used by the school to support education provision
- South Downs Learning Trust – to share information across the Multi Academy Trust (MAT)

We only share data with organisations who have adequate security measures and protections in place.

Why we regularly 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.

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections.

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. The LA may share limited information with the NHS to provide appropriate health care services.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current government security policy framework.

For more information, please see 'How government uses your data' section.

Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

the Schools Admission Code, including conducting Fair Access Panels.

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 object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once they reach the age 16.

Data is securely transferred to the youth support service via encrypted email and is stored securely and held for the agreed retention period.

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

A child / pupil once they reach the age of 16 can object to only their name, address and date of birth is passed to their local authority or provider of youth support services by informing us.

Data is securely transferred to the youth support service via encrypted email and is stored securely and held for the agreed retention period.

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 DPO@SDLT.org.uk

Depending on the lawful basis above, you may also have the right to:

- be informed about the collection and use of your personal data
- ask us for access to information about you that we hold
- request for your personal data to be rectified, if it is inaccurate or incomplete
- request the deletion or removal of your personal data where there is no compelling reason for its continued processing
- request we restrict the processing of your personal data (i.e permitting its storage but no further processing)
- object to processing of personal data that is likely to cause, or is causing, damage or distress
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not be subject to decisions based purely on automated processing where it produces legal or similarly significant effect on you
- seek redress, either through the ICO or through the courts.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- the right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- the right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- the right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent

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/

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by our Data Protection Officer (DPO@SDLT.org.uk) in the first instance.

Data Protection Officer

Our Data Protection Officer is Peter Questier (East Sussex County Council, Information Governance Team. Children's Services)

However, please contact the school in the first instance if you have a query regarding this privacy notice or how your information is used, by emailing: DPO@SDLT.org.uk

The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in 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.

Sharing by the Department

The law allows the Department to share information about our pupils from the NPD with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the department's NPD data sharing process, please visit: https://www.gov.uk/data-protection-how-we-collect-and-share-research-data

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime.

For information about which organisations the department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with home Office and the Police please visit the following website https://www.gov.uk/government/publications/dfe-external-data-shares

How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)
- monitors pupil progress, admissions and attendance. As of August 2024, attendance data is collected by the DfE from schools on a daily basis, this is a statutory requirement under The School Attendance (Pupil Registration) (England) Regulations 2024. Child level data will be shared back with the school, and either the Local Authority or Academy Trust responsible for the school. This sharing is to help them identify any potential issues with attendance and if needed, enable timely support to help children stay in school.

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

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

To contact the Department for Education (DfE): https://www.gov.uk/contact-dfe

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 14th November 2022