



**Information about Pupils in Schools, Alternative Provision,
Pupil Referral Units and Children in Early Years Settings**

The EU General Data Protection Regulation (GDPR)

On the 25th May 2018 the General Data Protection Regulation (GDPR) will be applicable and the current Data Protection Act (DPA) will be updated by a new Act giving effect to its provisions. Before that time the DPA will continue to apply.

Data Controller

Queen Elizabeth II Silver Jubilee School complies with the GDPR and is registered as a 'Data Controller' with the Information Commissioner's Office (Reg. No. Z7250447).

The Data Protection Officer (DPO) for the school is the School Business Manager

We ensure that your personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

The Legal Basis for Processing Personal Data

The main reason that the school processes personal data is because it is necessary in order to comply with the school's legal obligations and to enable it to perform tasks carried out in the public interest. We are required by The Education (Pupil Information) – (England) Regulations 2005 to maintain a Pupil's Educational Record.

The school may also process personal data if at least one of the following applies:

- in order to protect the vital interests of an individual
- there is explicit consent.
- to comply with the school's legal obligations in the field of employment and social security and social protection law
- for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
- for reasons of public interest in the area of public health
- for reasons of substantial public interest, based on law, which is proportionate in the circumstances and which has provides measures to safeguard the fundamental rights and the interests of the data subject;

The categories of pupil information that we collect, hold and share include:

- Personal information (such as name, unique pupil number and address and contact details, carer's details)
- Characteristics (such as ethnicity, language, nationality, country of birth, religion and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons, behavioural information, details of any exclusion information)
- where pupils go after they leave us
- any special educational needs or disabilities as well as relevant medical/therapeutic information
- Achievement data

For pupils enrolling for post-14 qualifications, the Learning Records Service will give us their unique learner number (ULN) and may also give us details about their learning or qualifications.

How we use information

We collect and hold personal information relating to our pupils and those involved in their care; we may also receive information from previous schools, the local authority(s) and/or the Department for Education (DfE). We use this personal data to:

- support our pupils' learning
- support our pupils' welfare
- monitor and report on their progress
- provide appropriate pastoral care;
- assess the quality of our services;
- process any complaints;
- protect vulnerable individuals;
- prevent and assist in the detection of crime
- comply with the law regarding data sharing

Who we share data with

We may pass data to:

- the local authority
- Schools that a pupil attends after leaving this school
- The Department for Education (DfE)
- NHS
- third-party organisations, as allowed by law
- agencies that provide services on our behalf
- agencies with whom we have a duty to co-operate
- school therapists and nurse

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

For further information about who we share with and why please see **APPENDIX A.**

In addition we use some systems to process student data where the data is held either in a website or on an external supplier's system. For further detail about such systems please see **APPENDIX B**.

Retention Periods

Personal data will be retained by the school in accordance with the Data Retention guidelines in the Information Management Toolkit for Schools (IRMS). Electronic and paper student records (excluding contact information) will be held until a student reaches the age of 30, as all Queen Elizabeth II Silver Jubilee students have a statement or an EHCP and we need to protect against a "failure to provide a sufficient education" case.

After this time the school will maintain a school roll, detailing the names of students who have been to the school, with their dates of birth and recording between which dates they attended Queen Elizabeth II Silver Jubilee. This will enable ex-students to allow potential employers to check this information.

<https://irms.site-ym.com/page/SchoolsToolkit>

Photographs

As part of our recording of events, celebrations and achievements, The Queen Elizabeth II Silver Jubilee School may wish to take photographs of activities that involve your child. The photographs may be used for displays, publications and website(s) by the school, Local Authority (LA), local newspapers and other approved partners, such as the charities we support.

Photography and/or filming will only take place with the permission of the Headteacher and under appropriate supervision. When filming or photography is carried out by the news media, children may be named but home addresses will not be disclosed. Images that might cause embarrassment or distress will not be used, including images associated with material on sensitive issues.

When a student joins the school parents are asked to indicate whether they are happy for photographs of their son/daughter to be used on school, local authority or press websites; inside school only; or do not want any photographs of their son/daughter to be published at all.

Rights

You have the right to:

1. be informed of data processing (which is covered by this Privacy Notice)
2. access information (also known as a Subject Access Request)
3. have inaccuracies corrected
4. have information erased
5. restrict processing

6. data portability (this is unlikely to be relevant to schools)
7. intervention in respect of automated decision making (automated decision making is rarely operated within schools)
8. Withdraw consent (see below)
9. Complain to the Information Commissioner's Office (See below)

To exercise any of these rights please contact the DPO, dpo@qe2school.co.uk

Withdrawal of Consent

The lawful basis upon which the school process personal data is that it is necessary in order to comply with the school's legal obligations and to enable it to perform tasks carried out in the public interest.

Where the school process personal data solely on the basis that you have consented to the processing, you will have the right to withdraw that consent.

Complaints to ICO

If you are unhappy with the way your request has been handled, you may wish to ask for a review of our decision by contacting the DPO.

If you are not content with the outcome of the internal review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted our internal review procedure. The Information Commissioner can be contacted at:

The Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF.

APPENDIX A

Who we share data with and why

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 3 of The Education (Information about Individual Pupils) (England) Regulations 2013.

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 Service

Pupils aged 13+

Once pupils reach the age of 13, the law requires us to pass pupil information to the local authority and / or the provider of Youth Support Services in the area 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.

A parent/guardian can request that **only** their child's name, address and date of birth be passed to the provider of Youth Support Services in their area by informing the DPO. **This right is transferred to the child once he/she reaches the age 16.**

For more information about services for young people, please go to the local authority website <http://schools.westsussex.gov.uk/>

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 the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether the 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 the DfE: <https://www.gov.uk/contact-dfe>

Clinical Commissioning Groups (CCGs)

We are required, by law, to pass certain information about our pupils to CCGs.

CCGs use information about pupils for research and statistical purposes, to develop, monitor and evaluate the performance of local health services. These statistics will not identify individual pupils. It is necessary for certain health information about children (for example, such as their height and weight) to be retained for a certain period of time (designated by the Department of Health) and requires these CCGs to maintain children's names and addresses for this purpose. CCGs may also provide individual schools and Local Authorities (LAs) with aggregated health information which will not identify individual children.

Local Authority - education and training

We are required, by law, to pass certain information about our pupils to local authorities.

The LA holds information about young people living in its area, including about their education and training history. This is to support the provision of their education up to the age of 20 (and beyond this age for those with a special education need or disability). Education institutions and other public bodies (including the Department for Education (DfE), police, probation and health services) may pass information to the LA to help them to do this.

The LA shares some of the information it collects with the Department for Education (DfE) to enable them to; produce statistics, assess performance, determine the destinations of young people after they have left school or college and to evaluate Government funded programmes.

The LA may also share information with post-16 education and training providers to secure appropriate support for them. They may also share data with education establishments which shows what their pupils go on to do after the age of 16.

If you want to see a copy of information about you that the LA holds, please contact the Data Protection Officer: FOI@westsussex.gov.uk

Local Authority – social services

In order to comply with our statutory safeguarding duties we are required, by law, to pass certain information about our pupils to local authorities. Information will only be shared where it is fair and lawful to do so.

If you want to see a copy of information about you that the LA holds, please contact the Data Protection Officer: FOI@westsussex.gov.uk

Police, Fire and Rescue Service, Ambulance Service and other emergency or enforcement agencies

In order to comply with our duty of care to pupils, our statutory safeguarding duties and our obligations in respect of the prevention and detection of crime, we may also share personal data with other statutory and partnership agencies.

APPENDIX B – SYSTEMS USED BY THE SCHOOL WHERE DATA IS NOT HELD IN SCHOOL

It is anticipated that in these circumstances student data will still be processed by Queen Elizabeth II School staff but there may be occasions where a member of the supplier's staff will need to look at our data in order to resolve technical problems.

System	System Purpose	Website for Further Information
CASPA	CASPA is a tool to assist with the analysis and evaluation of attainment and progress of pupils with Special Educational Needs	https://www.caspaonline.co.uk/
E-Schools	The is an all-in-one system to enhance the way in which the school community shares information and learning	http://www.eschools.co.uk/
Onwards and Upwards	Onwards and Upwards provides holistic assessment and analysis for Special Educational Needs	http://onwardsandupwards.com/
Teachers2parents	This is a text messaging service for pupils and staff	http://www.teachers2parents.co.uk/