



Privacy Notice: Pupils

Version History	
Date of first issue:	May 2018
Dates of Updates:	February 2019, September 2021, January 2022, July 2023, May 2024
Most recently approved by governors on:	June 2023
To be next reviewed on:	June 2024



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Privacy Notice: Pupils

1 Privacy Notice (How We Use Pupil Information)

We Sutton School are the data controller for the purposes of Data Protection Law.

2 Categories of Pupil Information

The categories of pupil information that we process include:

- Personal identifiers and contacts (such as name, unique pupil number, contact details and address).
- Characteristics (such as ethnicity, language, and free school meal eligibility).
- Safeguarding information (such as court orders and professional involvement).
- Special educational needs (including the needs and ranking).
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements).
- Attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended).
- Assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results).
- Behavioral information (such as exclusions and any relevant alternative provision put in place).

This list is not exhaustive. For a further example of the information typically held by schools, please see the Department for Education (DfE) Common Basic Data Set here:

3 Our Lawful Basis for Collecting Pupil Information

We collect and use pupil information under the following Acts of parliament and associated legislation:

- The Education Act, amendments and accompanying regulations – For example; Section 537A of the 1996 Act enables the education setting to collect information to perform the Department of Education's termly census.
- Section 40(2)(a) of the Childcare Act 2006 - early years foundation stage and Section 87 of the Education Act 2002 - key stage 1 and key stage 2, enables primary age education settings to collect information for the assessing and reporting of the national curriculum.
- There are various versions of the Education Act both preceding and following the 1996 Act that have influence on what information is required and how it is processed such as: The Education Reform Act 1988, Further and Higher Education Act 1992, Education Act 1994, School Standards and Framework Act 1998, Teaching and Higher Education Act 1998, Education Act 2002, Higher Education Act 2004, Education Act 2005, Education and Inspection Act 2006 and Education Act 2011, The Education (Pupil Information) England Regulations 2005 and associated regulations and statutory instruments.



Where appropriate we also rely on:

- The Children Act and subsequent amendments.
- The Common Law Duty of Care.
- Health and Safety at Work Act.
- Working together to Safeguard Children Guidelines (DfE).
- Equality Act 2010.
- The Disability Discrimination Act.
- Special Educational Needs (SEN) Code of Practice.
- Safeguarding Vulnerable Groups Act.
- Limitation Act 1980.

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.

4 Why Do We Collect and Use Pupil Information?

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

- To support pupil learning.
- To monitor and report on pupil attainment progress.
- To provide appropriate pastoral and medical care.
- To assess the quality of our services.
- To keep children safe (food allergies, or emergency contact details).
- To meet the statutory duties placed upon us for the Department for Education (DfE) data collections.
- To comply with the law regarding data sharing.

5 Collecting Pupil Information

We collect pupil information via:

- Registration forms at the start of the school year; or
- 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 requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

If you provide us with contact details of others, for example, in case of emergency or when you may not be available, please ensure that they are aware their information has been passed to the school.

We will also receive the above types of personal information, where relevant, from the previous school and may also receive information from the Local Authority (LA) and the DfE.



6 Storing Pupil Data

The information we collect, use and store about pupils and their parents/carers is retained on our computer systems and in paper files, either until it is updated/superseded or until the pupil leaves the school where it will be passed on to the receiving school in accordance with the Education (Pupil Information) England Regulations 2005. Records are retained by a Secondary school for the period of 25 years from the Date of birth of the Child. Further information on how long schools retain information can be seen in the Sutton School's "Data Retention Policy".

7 Who We Share Pupil Information With

We routinely share pupil information with:

- Relevant staff within Sutton School.
- Schools that the pupils attend after leaving us.
- Our local authority.
- Youth support services (pupils aged 13+).
- The Department for Education (DfE).
- Health services.
- Other systems including some services used by the Dudley Grid for Learning (DGfL):
- CPOMs
- Ed-Shed
- Education City
- Evidence for Learning
- Google for Education – Google Classroom / Google Mail / Google Drive
- Microsoft Online Services – Microsoft Office 365
- Oxford University Press – MyMaths
- Maths Whizz
- ParentMail
- Renaissance Learning – Accelerated Reader / MyOn
- RM Education
- Smoothwall – Monitor / Pulse
- White Rose Maths
- Wonde

We are committed to working with the local authority in protecting and safeguarding children and young people in the Borough. As a consequence, we intend, where relevant to do so, share information with the Multi-Agency Safeguarding Hub (MASH) which is a co-located arrangement of agencies including the local authority, Police, NHS Trusts and Probation Service integrated into a multi-agency team.

The MASH is the single point of contact for safeguarding concerns, the MASH share information appropriately and securely on children or young people in order to take timely and appropriate actions. The teams also provide information and advice across a range of child and family services.

Where a pupil/parent/carer has been involved in an accident, an Accident/Incident Report Form will be completed which will include details of the accident including information about you. This information will be passed to the Corporate Health and Safety Team at the local authority. This information will be accessed by Dudley MBC employees, who legally require access to this data, for purposes related to this incident, and may be shared with others to allow us to comply with our statutory duties'.



8 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.

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.

9 Youth Support Services

9.1 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

The information shared is limited to the child's name, address and date of birth. However where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child / pupil once they reach the age 16.

Data is securely transferred to the youth support service via secure transfer and is stored on secure cloud-based servers and held for the specified period of time stated in the school's "Data Retention Policy".

9.2 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

Data is securely transferred to the youth support service via secure transfer and is stored on secure cloud-based servers and held for the specified period of time stated in the school's "Data Retention Policy".

For more information about services for young people, please visit our local authority website.



10 Department for Education (DfE)

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, under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (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.

11 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 the Headteacher.

You also have the right:

- To ask us for access to information about you that we hold.
- To have your personal data rectified, if it is inaccurate or incomplete.
- To request the deletion or removal of personal data where there is no compelling reason for its continued processing.
- To restrict our processing of your personal data (i.e. permitting its storage but no further processing).
- To object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics.
- Not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to 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 the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

12 Privacy Notice Updates

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 in July 2024.



13 Contact

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

- YourIG Data Protection Officer Service,
Dudley MBC,
The Council House,
Dudley,
West Midlands,
DY1 1HF,
- Email: YourIGDPOService@dudley.gov.uk
- Telephone: 01384 815 607

14 How Government Uses Your Data

The pupil data that we lawfully share with the the Department for Education (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)

15 Data Collection Requirements

To find out more about the data collection requirements placed on us by the Department for Education (DfE) (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

16 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 (DfE) 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 for Education (DfE).

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. To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>



17 Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data 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 for Education's (DfE) 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 the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) 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>

18 How to Find Out What Personal Information the 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>