



**THE KEY ALTERNATIVE PROVISION**

# **Pupil Privacy Notice**

**How we use pupil information**

**(Under the new GDPR arrangements)**

## **Privacy Notice (How we use pupil information)**

**How we use pupil information in line with the General Data Protection Law which comes into effect in the UK on 25<sup>th</sup> May 2018.**

The Key Alternative Provision holds the legal right to collect and use personal information relating to the pupils and their families and is the recipient of information about the pupil from their previous school, local authority and/or the Department for Education (DfE).

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

- ✓ personal information: name, unique pupil number and contact details
- ✓ personal characteristics such as their ethnic group, languages spoken, nationality, country of birth and nationality
- ✓ national curriculum assessment results
- ✓ attendance information
- ✓ any exclusion information
- ✓ their destinations; where they go after they leave us
- ✓ any special educational needs they may have
- ✓ relevant medical information

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

*We collect information from the pupils and their families and may receive information about the pupil from their previous school. We hold this personal data and use it to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:*

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013 [https://www.gov.uk/education/data-collection-and-censuses-](https://www.gov.uk/education/data-collection-and-censuses-for-schools)

[for-schools](https://www.gov.uk/education/data-collection-and-censuses-for-schools)

**Why we collect and use this information In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons;**

- ✓ to support our pupils' learning
- ✓ monitor and report on their progress
- ✓ provide appropriate pastoral care; and
- ✓ assess the quality of our services

- ✓ to comply with the law regarding data sharing

### **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 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 until the pupil is 25 years old.

### **Who we share pupil information with**

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- social services
- centre first aider
- the Department for Education (DfE)

### **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 pass information about our pupils to the Department for Education (DfE) under regulation 4 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 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.

### **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 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>

### **Contact**

If you would like to discuss anything in this privacy notice, please contact ***The Key Alternative***

***Provision's*** Data Protection Officer at [thekeyalternativeprovision@yahoo.com](mailto:thekeyalternativeprovision@yahoo.com)

### **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 Centre Business Manager on [thekeyalternativeprovision@yahoo.com](mailto:thekeyalternativeprovision@yahoo.com)

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; and
- 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/>