



## PRIVACY NOTICE for St Nicholas School Canterbury

### Why we collect and use pupil information (including that of pupils' Parents/Carers Family and members the of the Local Community):

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'Privacy Notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data. This Privacy Notice explains how we collect, store and use personal data about pupils. We, St Nicholas School, are the 'data controller' for the purposes of data protection law.

We collect and use pupils information under section 537A of the Education Act 1996, and section 83 of the Children Act 1989. We also comply with Article 6(1)(c) and Article 9(2)(b) of the General Data Protection Regulation (GDPR) from 25 May 2018 - this information can be found in the census guide documents on the following website <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

### We use the pupil data:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To protect and safeguard pupil welfare
- To carry out research
- To assess the quality of our services
- To comply with the law regarding data sharing
- To pupils to decide what to do after they leave school.

In order to meet statutory requirements around appropriate education provision and to fulfil safeguarding requirements, we share information about school history and the latest known pupil and parent address and contact details in the event of a Child Missing Education, or becoming Electively Home Educated. This information also supports the in-year admissions process.

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

- Personal information (such as name, unique pupil number and address/contact details)
- 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)
- National Curriculum assessment results, accreditation scores and curriculum information
- Evidence of individual pupil progress and achievements
- Special Educational Needs information
- Relevant Medical information and accident forms
- Behavioural Incident and pupil well-being information
- Post-16 and Post-19 learning information
- Safeguarding information
- Carefully chosen and vetted educational apps
- CCTV and photographic images



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

We collect and use pupil information under [setting to insert the lawful basis for collecting and using pupil information for general purposes (must include a basis from Article 6, and one from Article 9 where data processed is special category data from the GDPR-from 25 May 2018)]

[Examples you may wish to consider for data collection purposes (Departmental Censuses) are the Education Act 1996 - this information can be found in the census guide documents on the following website <https://www.gov.uk/education/data-collection-and-censuses-for-schools>]

## **Collecting pupil information**

Whilst the majority of pupil information you provide to us is mandatory (in the public interest), some of it is provided to us on a voluntary basis (requiring consent from a parent/carer and yourself, if you are aged 13 or above and have the capacity to give consent [decision specific]). 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. Some of the reasons listed above for collecting and using pupils' personal data overlap and there may be several grounds which justify our use of this data.

## **Storing pupil data**

St Nicholas School keeps information about pupils on computer systems and also sometimes on paper. We hold our pupils' education records securely and retain them from pupils dates of birth until they reach the age of 25, after which they are safely destroyed. If pupils transfer to a new school, they will be retained at the new school until the pupils reach the age of 25 - this is to comply with the requirements of the IRMS toolkit for schools document (2016).

There are strict controls on who can see pupils' information. We will not share pupil data if the pupils or their families have advised us that they do not want it shared unless it is the only way to ensure the pupils' safety, health or we are legally required to do so.

## **Who do we (routinely) share pupil information with?**

- Schools or colleges that the pupil's attend after leaving us (e.g. the East Kent Colleges Group)
- Our local authority (Kent County Council) and their commissioned providers of local authority services - Education, Children's and Adults Social Services, Respite providers - Kent Police and locally commissioned community health and CAHMS providers.
- The Department for Education (DfE)
- Our satellite hosts - Primary and Secondary Schools, Canterbury College and East Kent Hospitals Foundation Trust
- Our exam and accreditation boards - e.g. OCR, AQA, City & Guilds, Arts Award, WJEC
- Our community learning partners (Trenley Park, Kent D of E Scheme, Brogdale CIC, Canterbury Academy)
- Early Help, Child Protection and Safeguarding Authorities (as part of Section 47 investigations, Early Help referrals and CHIN / Child Protection / Child-In-Care procedures)
- Companies that host our information (e.g. SIMS, Capita, Report Box, Pupil Asset, CASPA, KLZ, EIS, Hays, Schudio, Bluesky Education, IRIS Connect, RM, Schools Personnel Service, Group Call, Teachers2Parents)
- Authorised school contractors - for both education support services (e.g. Educational Psychology, self-employed tutors / teachers who work in the school, school nurses who work with the school) and / or commercial services (e.g. software providers, photography companies, and uniform suppliers).
- We may also share information with other KSENT Special Schools - where relevant, (holiday) companies with whom we have booked (residential) visits / trips, visiting arts companies (if

appropriate), Higher Education partners who provide services for us (e.g. Canterbury Christchurch University / University of Kent) and / or Further Education Colleges (e.g. East Kent College Group) / Social Care providers for our students in transition.

*A complete list of the current suppliers we share information with can be found in the appendix.*

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### **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.

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>.

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.

### **Youth support services**

#### **Pupils aged 13+**

#### **What is different about 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.

We must provide both pupils' and their parents' name(s) and address, and any further information relevant to the support services' role; this will include telephone contact details.

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.

KCC has a legal responsibility to track all young people up to the age of 19 (and young adults with learning difficulties or disabilities up to the age of 25). The purpose of collecting this information is to assist the planning of education and training for young people and the support services they require.



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KCC will inform us of the current activities of our pupils once they have left the school. We liaise with our partner services and monitor pupils directly up to 3 years after they leave us. This is in relation to education, training, employment with training they may be undertaking and whether they become NEET (not in Education, Employment or Training). Some of this information is then shared with the DfE who use the information to plan at a national level.

This enables them to provide services as follows:

- post-16 education and training provision
- youth support services
- careers advice and guidance

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

<http://kent.gov.uk/education-and-children/young-people> or the KCC website at [www.kent.gov.uk](http://www.kent.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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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>

### **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 Moira Lindsay (school data administrator - St. Nicholas School), Stephen King (Data Protection Lead - St. Nicholas School) or our named contact DPO - SPS DPO Services

Email - [sps-dpo-services@isystemsintegration.com](mailto:sps-dpo-services@isystemsintegration.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/>

### **Contacts**

If you would like to get a copy of the pupil information that KCC shares with the DfE or post-16 providers or how they use the pupil information, please contact:

Information Resilience & Transparency Team

Room 2.71

Sessions House

Maidstone

ME14 1XQ

Email: [dataprotection@kent.gov.uk](mailto:dataprotection@kent.gov.uk)

You can also visit the KCC website if you need more information about how KCC uses and stores pupil information. Please go to: <http://www.kent.gov.uk/about-the-council/contact-us/access-to-information/your-personal-information>

To contact DfE: <https://www.gov.uk/contact-dfe>

If you would like to discuss anything in this privacy notice, please contact: Moira Lindsay, school data administrator ([moira.l@st-nicholas.kent.sch.uk](mailto:moira.l@st-nicholas.kent.sch.uk)), Stephen King, Data Protection Lead ([stephen.k@st-nicholas.kent.sch.uk](mailto:stephen.k@st-nicholas.kent.sch.uk)) or our named contact DPO - SPS DPO Services

Email - [sps-dpo-services@isystemsintegration.com](mailto:sps-dpo-services@isystemsintegration.com)

