

General Data Protection Regulation (GDPR)

The Milford Academy

Privacy Notice

July 2021

Ratified at 30th September 2021 – Governors meeting



Privacy Notice (How we use pupil information)

Who processes your information?

The Milford Academy is the data controller of the personal information you provide to us. This means the school determines the purposes for which and the manner in which, any personal data relating to pupils and their families is to be processed.

Why do we collect and use pupil information?

New Data Protection legislation which includes provisions of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 take effect from May 25 2018, including provisions relating to 'lawfulness of processing' and 'processing of special categories of personal data'.

The school collects and uses pupil information for purposes consistent with the Education Act 1996. The legal basis under which the school uses personal data for these purposes is that it is necessary for the performance of a task carried out in the public interest by the school or in the exercise of official authority vested in the school.

The information you provide to the school includes special categories of personal data such as race, ethnicity, religion, genetics and biometrics. Information in these categories is used by the school on the basis that such use is necessary for reasons of substantial public interest and in accordance with Data Protection legislation.

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care including support of transition to secondary school
- to safeguard pupils' physical and mental well being
- to promoting pupil welfare
- to assess the quality of our services including school reports to be produced
- to comply with the law regarding data sharing

Which data do we collect, hold and share?

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Relevant medical information
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Special educational needs information
- Exclusions / behavioural information
- Safeguarding information

Whilst most of the 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 Data Protection legislation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

How long do we store your data?

We hold data relating to pupils in line with the arrangements set out in our Data Protection Policy. We do not hold personal information indefinitely and effectively, data relating to pupils at the school and their families is only stored for as long as is required to meet the purpose for which it was originally collected.

Who do 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)
- medical professionals including school nurse, NHS, other professional services
- school photographer
- assessment providers to enable provision for monitoring children's development

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.

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>.

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>

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

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 Rachel Flynn, School Business Manager/Data Protection Office email dpo@milford.nottingham.sch.uk clearly marking your email GDPR request.

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
- seek redress 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, 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/>

Contact:

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

Rachel Flynn, School Business Manager/Data Protection Officer – email dpo@milford.nottingham.sch.uk