



# Montsaye Community Learning Partnership

## Privacy Notice (How we use student information)

You have a legal right to be informed about how our schools use any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data. This privacy notice explains how we collect, store and use personal data about you.

Montsaye Community Learning Partnership is the Data Controller for the purposes of the General Data Protection Regulation 2018. This means that we collect and are responsible for, personal data about the students in all of our schools.

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

- Personal information (such as name, unique student number and address)
- 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)
- Information about assessment, achievement, progress and qualifications
- Medical and dietary needs information
- Special educational needs information
- Information about behaviour
- Information about post 16 learning
- Photographs and in some schools, CCTV images

## Why we collect and use this information

We use the student data:

- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

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

We collect and use student information under the terms of the General Data Protection Regulation 2018. The lawful basis under which we collect and process information is covered at Article 6 and is defined as “Public task”. This means that we collect the personal data in order that we may carry out our public duties those being the education of students in our schools.

We also collect and process special category data such as race, ethnic origin, religion, health and sometimes biometric (fingerprint) data. This data is also necessarily collected and processed in order to carry out our obligations to provide public education. Where personal data or special category data is not essential to the fulfilment of our obligations (such as biometrics), we will seek your or your parent/carer’s permission (called consent) at the time the data is captured.

## **Collecting student information**

Whilst the majority of student 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 student information to us or if you have a choice in this.

## **Storing student data**

We hold student data for the duration of the student’s time in our schools. Ordinarily, primary school student records are passed on to secondary schools when starting secondary education. Secondary schools retain student records for 7 years from completing secondary education so usually to 25 years of age. There are exceptions to this which are detailed in our retention policy.

## **Who we share student information with**

We routinely share student information with:

- our staff
- schools that the student’s attend after leaving us
- schools that are within our trust - MCLP
- our local authority
- the Department for Education (DfE)
- our Management Information System provider
- our School Improvement Partner so that schools can be held to account for student outcomes

We also share elements of student data with a number of third parties in order that they may provide a service to the student and school:

- Catering contractor, typically dietary needs and allergies

- School Nurse, medical information
- Trips and visit organisations, medical information, dietary and allergies and special educational needs
- Website provider, typically student photographs for which we obtain consent
- Attendance and educational psychology professionals

## Why we share student information

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

We share students' 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 students with the (DfE) under regulation 5 of The Education (Information About Individual Students) (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

### Students aged 13+

Once our students reach the age of 13, we also pass student 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 / student once he/she reaches the age 16.

### Students aged 16+

We will also share certain information about students 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.

## The National Student Database (NSD)

The NSD is owned and managed by the Department for Education and contains information about students 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 students 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 NSD. The law that allows this is the Education (Information About Individual Students) (England) Regulations 2013.

To find out more about the NSD, go to

<https://www.gov.uk/government/publications/national-student-database-user-guide-and-supporting-information>.

The department may share information about our students 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 student 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 student information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-student-database-requests-received>

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

## Requesting access to your personal data

Under data protection legislation, parents and students 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 Data Protection Lead in the school that your child attends.

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/>

## Complaints

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by contacting our data protection officer.

You can also complain to the Information Commissioner's Office in one of the following ways:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## Contact

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

The MCLP Data Protection Officer via:

E-mail: [dpo@mclp.org.uk](mailto:dpo@mclp.org.uk)

Telephone: 01536 764849