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Working together to inspire, nurture and motivate everyone to fulfil their potential.

Privacy Notice Pupils

Tameside Pupil Referral Service

Privacy Notice (How we use pupil information)

Note: A version of this Pupil Privacy notice in simpler language is also available on request.

The categories of pupil information that the Trust and its academies collect, hold and share include:

- Personal information (such as name, unique pupil number, 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 and examination assessment results,
- Any exclusion information,
- Where pupils go after they leave us
- Personal characteristics such as ethnic group, any special educational needs
- Relevant medical information.
- For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about pupils' learning or qualifications.

Why we collect and use this information

We process personal information relating to our pupils and may receive information about them from their previous school or college, local authority, the Department for Education (DfE) and the Learning Records Service. We hold this personal data to:

- to support pupil learning
- to monitor and report on pupil 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 pupil information

1. Under the statutory **legal obligations** laid down by the Education Act 1996 (and as described in Article 6 of the General Data Protection Regulation);
2. Because processing is necessary for the performance of a task carried out in the public interest and/or in the exercise of official authority vested in the Trust and its academies (as described in Article 6 of the General Data Protection Regulation: **public task**);
3. Because processing of special category data is necessary for carrying out our **legal obligations** under social protection law (as described in Article 9 of the General Data Protection Regulation, and in Keeping Children Safe in Education 2017)
4. Because processing of special category data with **consent** is necessary for carrying out our legitimate activities (as described in Article 9 of the General Data Protection Regulation).

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

In our primary academy until the pupil leaves and goes to secondary school, at which point the record is transferred to the new school. This is in line with the Education (Pupil Information)(England) Regulations 2005 SI 2005 No.1437.

In our secondary academies until the pupil is 25 years old, at which point the record is destroyed. This is in line with the Education (Pupil Information)(England) Regulations 2005 SI 2005 No.1437 and the Limitation Act 1980 (section 2).

If a pupil transfers to an independent school, becomes electively home educated or leaves the country, the record is transferred to the local authority for the statutory retention period.

Who we share pupil information with

We share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- appropriate organisations such as examination boards and bodies which analyse pupil attainment and progress data for us
- other individuals who work with specific children with their parents'/carers' permission, for example, health professionals

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 share information about our pupils with the (DfE) under regulation 5 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.

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

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>

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. Parents or pupils requesting their personal information, or parents wishing to access their child's educational record should contact the academy's principal in the first instance.

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

Please note the Trust and its academies are happy to help people access their information in a timely manner, but may find it difficult to respond during the school summer holidays.

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. If your concern is not addressed to your satisfaction, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>