

# Privacy Notice (How we use children in need and children looked after information)

This privacy notice is written in more child-friendly language to support access by all.

You have a legal right to be informed about how our school uses 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.

We, the school, are the 'data controller' for the purposes of data protection law.

Our first point of support is the Flying High Trust Operations Manager, Nick Layfield and the Trust Data Protection Officer is Louise Barber (see 'Contact us' below).

## The categories of personal information that we process include:

- personal information (such as name, date of birth and address)
- characteristics (such as gender, ethnicity and disability)
- episodes of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection information and Child Protection Plan information)
- episodes of being looked after (such as important dates, information on placements)
- outcomes for looked after children (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending)
- adoptions (such as dates of key court orders and decisions)
- care leavers (such as their activity and what type of accommodation they have)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and 2 and phonics results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- details of any behaviour issues or exclusions
- photographs/images
- CCTV images
- catering – free school meals and any dietary requirements
- information relevant to particular school trips or activities

## Why we collect and use this information

We will only collect and use your information when the law allows us to. Most often, we will use your information where:

- We need to comply with the law

- We need to use it to carry out a task in the public interest (in order to provide you with an education)

Sometimes, we may also use your personal information where:

- You, or your parents/carers have given us permission to use it in a certain way
- We need to protect your interests (or someone else's interest)

Where we have got permission to use your data, you or your parents/carers may withdraw this at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

We use this personal data to:

- a) support these children and monitor their progress
- b) provide them with pastoral care
- c) assess the quality of our services
- d) evaluate and improve our policies on children's social care
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us by the Department for Education
- g) Get in touch with you and your parents when we need to
- h) Check how you're doing in class and exams and work out whether you or your teachers need any extra help
- i) Track how well the school as a whole is performing
- j) Look after your wellbeing

## Collecting this information

We collect personal information via registration forms at the start of the year, Common Transfer File, consent forms and general enrolment forms to support pupils of the school.

Children in need and children looked after information is essential for the Trust and local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

## Storing personal data

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please contact the main school office. A copy of the school Data Protection Policy can be viewed on the school website or a copy requested from the main school office.

## Who we share this information with

We routinely share this information with:

- the Department for Education (DfE)
- Schools (transfer of pupil data when a child is no longer on roll and transfers to another school or educational establishment)
- local authorities (where there is a statutory requirement e.g. Safeguarding)
- the Department for Education (DfE) (where there is a statutory requirement)
- Your family and representatives (educational progress and maintaining accurate records)
- Educators and examining bodies (registration and certification)
- Our regulator Ofsted (the organisation or “watchdog” that supervises us)
- Suppliers and service providers – so that they can provide the services we have contracted them for (e.g. names for online educational resources including Purple Mash)
- Health authorities (where multi-agency working takes place)
- Health and social welfare organisations (e.g. MASH for Safeguarding and pupil wellbeing)
- Professional advisers and consultants (in agreement with parents/carers for referrals or external support e.g. Speech and Language Therapy or Educational Psychology)
- Police forces, courts, tribunals (as requested and required)
- Professional bodies (name and pupil number for any registration and certification)
- School nurse (for medical purposes)

## Why we share this information

We do not share information about our children in need or children looked after with anyone without consent unless the law and our policies allow us to do so.

## The Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children in need and children looked after with the Department for Education (DfE) for the purpose of those data collections, under:

We share children in need and children looked after data with the Department on a statutory basis, under Section 83 of 1989 Children’s Act, Section 7 of the Young People’s Act 2008 and also under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see ‘How Government uses your data’ section.

## Requesting access to your personal data

Under data protection legislation, parents, carers and children have the right to request access to information about them that we hold. To make a request for your personal information contact the main school office.

Depending on the lawful basis above, you may 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
- a right to seek redress, either through the ICO, or through the courts

If you have a concern or complaint 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/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

## Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the main school office.

## Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 19 November 2019.

## Contact

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

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Nick Layfield	Trust Operations Manager	<a href="mailto:nlayfield@flyinghightrust.co.uk">nlayfield@flyinghightrust.co.uk</a>
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0115 9891915

Louise Barber	Data Protection Officer	<a href="mailto:lbarber@discoveryschoolstrust.org.uk">lbarber@discoveryschoolstrust.org.uk</a>
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*This notice is based on the [Department for Education's model privacy notice](#) for pupils, amended to reflect the way we use data in this school.*

## How Government uses your data

The data that we lawfully share with the DfE through data collections helps to:

- develop national policies
- manage local authority performance
- administer and allocate funding
- identify and encourage good practice

## Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education go to:

Children in need: <https://www.gov.uk/guidance/children-in-need-census>

Children looked after: <https://www.gov.uk/guidance/children-looked-after-return>

## The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

## Sharing by the Department

The law allows the department to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the department's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

## How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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