



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

At St. Augustine's Academy, we hold the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, LA and the DfE. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the UK GDPR and UK law.

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

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Information relating to 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)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as attainment and progress data)
- Relevant information relating to safeguarding
- Relevant medical information
- Special educational needs information
- Pastoral and behavioural information
- Schools pupils attend after leaving us

Why we collect and use this information

We use the pupil data for the following:

- To safeguard and support these children
- To support pupil learning
- To monitor and report on pupil progress and attainment
- To provide appropriate pastoral care and ensure the safety and well-being of pupils
- To assess the quality of our services and evaluate and improve our policies
- To comply with the law regarding data sharing
- To comply with Department for Education Censuses

The lawful basis on which we use this information

From 25th May 2018, we will collect and use pupil information under the UK General Data Protection Regulation (UK GDPR), previously the General Data Protection Regulation (GDPR) before Brexit, prior to this under the 1998 Data Protection Act. The following condition examples for processing under the GDPR include, but are not exclusive to, the following:

Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:

(c) Processing is necessary for compliance with a legal obligation to which the controller is subject

Article 9

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

2. Paragraph 1 shall not apply if one of the following applies:

a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject

Collecting this information

Whilst the majority of children looked after 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 this information

We hold pupils' data for 6 years following them leaving St. Augustine's Academy as per the Pupils Privacy Notice but information in addition to this will not be held by the school. (This will be held by local authorities.)

Who we share this information with

We routinely share pupil information with:

- Schools that the pupils attend after leaving us
- Our local authority
- The Department for Education (DfE)
- Police, social services, NHS/school nurse as required

Why we share this information

Department for Education (DfE) - 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.

This data sharing helps to develop national policies, manage local authority performance, administer and allocate funding and identify and encourage good practice.

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.

Data collection requirements:

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

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

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

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. To make a request for your personal information, or be given access to your child's educational record, contact:

Julia Holloway – Data Protection Officer – office@staugustinesacademy.co.uk

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/>

Contact

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

Julia Holloway – Data Protection Officer – office@staugustinesacademy.co.uk