

August 2020

Ref: 2020/200

Dear Parent/Carer/Student

## **Privacy Notice**

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils**.

We, Landau Forte College, are the 'data controller' for the purposes of data protection law.

Our data protection officer can be contacted on [dpo@lfct.org.uk](mailto:dpo@lfct.org.uk)

### **The personal data we hold**

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Personal identifiers and contacts (such as name, unique pupil number, date of birth, contact details/preferences and address)
- Results of internal assessments and externally set tests and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- Characteristics, such as ethnic background, language, eligibility for free school meals, or special educational needs (including the needs and ranking)
- Exclusions and behavioural information and any relevant alternative provision put in place
- Details of any medical conditions and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Safeguarding information (such as court orders and professional involvement)
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

### **Why we collect and use this data**

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

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- 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

### **Our legal basis for using this data**

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

### **Collecting this information**

We collect pupil information via a combination of registration forms at the start of the Year 7 and Sixth Form academic year, Common Transfer Files (CTFs) and secure file transfers from the pupil's previous school.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil 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.

### **How we store this data**

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. The Information and Records Management Society's toolkit for schools (<https://irms.org.uk/page/schoolstoolkit?&terms=%22toolkit+and+schools%22>) sets out how long we keep information about pupils and we adhere to this guidance.

## **Data sharing**

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Schools
- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- The pupil's family and agreed representatives
- Educators and examining bodies
- Our regulator, Ofsted
- Youth Support Services (students aged 13+)
- Our auditors
- Health authorities
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

## **Department for Education**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections, such as the school census. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under regulation 5 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 (<https://www.gov.uk/government/publications/security-policy-framework>).

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

## **Youth support services**

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 object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once they reach 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

A child / pupil once they reach the age of 16 can object to only their name, address and date of birth is passed to their local authority or provider of youth support services by informing us.

For more information about services for young people, please visit our local authority website.

### **Local Authorities**

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under the Schools Admission Code, including conducting Fair Access Panels.

### **Parents and pupils' rights regarding personal data**

Under GDPR, 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 our data protection officer ([dpo@lfct.org.uk](mailto:dpo@lfct.org.uk)).

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 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 letter.

### **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 my PA, Miss L Walendziewski, at [lwalendziewski@landau-forte.org.uk](mailto:lwalendziewski@landau-forte.org.uk)

**Last updated**

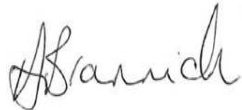
We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 19 August 2020.

**Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our data protection officer at [dpo@lfct.org.uk](mailto:dpo@lfct.org.uk)

*This notice is based on the Department for Education's model privacy notice for pupils, amended for parents and to reflect the way we use data in this school.*

Yours sincerely

A handwritten signature in black ink, appearing to read 'A Brannick', written in a cursive style.

Ms A Brannick  
Principal

## How Government uses your data

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

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

## 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)

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
- 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 are 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>