

GDPR Privacy Notice (How we use student information)

Introduction

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' to individuals where we are processing their personal data.

Personal data is information that identifies someone as an individual and relates specifically to that person.

Solway Community School is the data controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data relating to students and their families is to be processed.

This privacy notice explains how we collect, store and use personal data about students. It also explains the decisions that you can make about your own information.

Our **Data Protection Officer** is Dale Stephenson. Our **Data Protection Lead** (dealing with internal policies, processes and queries) is Jennifer Rowlands (see 'Contact us' on page 4).

The categories of student information

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

- Contact details, contact preferences, date of birth, identification documents
- Assessment information (such as reports, feedback, test data and exam results)
- Student and curricular records
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Special Educational Needs information (such as Education and Health Care Plans (EHCPs), Individual Education Plans (IEPs) and notes from review meetings and professional assessments)
- Exclusion & behavioural information
- Record of achievement & rewards
- Details of any medical conditions including physical and mental health (such as medication details, allergies, and notes from meetings/GPs/other health care professionals)
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers (such as Early Help Assessments)
- Post 16 learning information and destination data
- Photographs & videos
- CCTV images captured in school

Why we collect and use this information

We use the student data to:

- Support student learning
- Monitor and report on student progress
- Provide appropriate pastoral care
- Protect student welfare
- Assess the quality of our services
- Administer admission waiting lists
- Carry out research
- Comply with the law regarding data sharing

Our legal basis for using this data

We only collect and use students' 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 students' 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 students' 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 students' personal data overlap, and there may be several grounds which justify our use of this data.

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.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

We may also receive information about students from other organisations such as their previous school, local authority and/or the Department for Education (DfE).

Data security and storage of student information

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

We keep personal information about students 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.

Our data protection policy sets out how long we keep information about students.

Sharing student information

The school routinely shares students' information with, but is not restricted to:

- Schools that the students attend after leaving us
- Our local authority (LA) Cumbria County Council
- The Department for Education (DfE)
- The student's family and representatives
- Educators and examining bodies
- Our regulator Ofsted
- Our partner school – Beacon Hill Community School
- Destination schools & colleges including alternative provision
- The NHS and other public health bodies
- Other public services that have a lawful right to collect student information
- Third parties where we have clear legal basis

Why we share student information

The school does 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 our **local authority (LA)** and the Department for Education (DfE) under section 3 of The Education (Information About Individual Students) (England) Regulations 2013.

National Student Database

We are required to provide information about students to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the [National Student Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also contact the [Department for Education](#) (DfE) with any further questions about the NPD.

Youth support services - students aged 13+

Once our students reach the age of 13, we are legally required to pass on certain information about them to Inspira as it has legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

Parents/carers or students once aged 16 or over, can contact the school to request that we only pass the individual's name, address and date of birth to Inspira

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Parents and students' rights regarding personal data

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form.

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

Parents/carers also have a legal right to access to their **child's educational record**.

Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing

- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

If you would like to make a request or exercise any of these rights please contact our **Data Protection Officer or Data Protection Lead**.

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with the school in the first instance using the Contact Us details below.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- 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

Further information

To download our Data Protection Policy please visit our website (www.beaconhill.cumbria.sch.uk).

If you require more information about how the local authority store and use your personal data: www.cumbria.gov.uk/childrensservices/schoolsandlearning/schools/privacynotice.asp

To find out more about the data collection requirements placed on us by the DfE (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

If you cannot access these websites please contact the LA and/or DfE as follows:

Performance Unit,
Children's Services
Cumbria House
Botchergate
Carlisle
Cumbria
CA1 1RD
tel: 01228 221271

www.cumbria.gov.uk/childrenservices
ros.dean@cumbria.gov.uk

Public Communications Unit
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Tel: 0370 000 2288

www.education.gov.uk
<http://www.education.gov.uk/help/contactus>

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 Lead**:

- Mrs Jennifer Rowlands, Solway Community School, Liddell Street, Silloth, CA7 4DD
Tel 016973 31234 or email jennifer.rowlands@solway.cumbria.sch.uk

For serious concerns, data breaches or complaints please contact our Data Protection Officer:

- Mr Dale Stephenson, Netherhall School, Netherhall Road, Maryport, CA15 6NT
Tel 01900 813434

This notice is based on the [Department for Education's model privacy notice for students](#), amended for parents and to reflect the way we use data in this school.