



St Cuthbert Mayne School

School Privacy Notice - Student

DPO Link:

Daneian Rees, St Cuthbert Mayne School, Torquay, TQ1 4RN. 01803 328725

How we use student information

1. What do we collect and why do we need it?

- full name
- date of birth
- home address
- previous home address
- email address
- telephone number
- school travel arrangements
- free school meal eligibility
- name of previous school and reason for leaving
- images (these may be captured during official school photos; class work; activities, performances or on school CCTV)
- education file from previous school
- Unique student Reference Number (UPN)
- candidate or examination number
- information about local authority funding
- consent preferences
- attendance
- assessment and attainment information (EYFS/Phonics/KS1/KS2/KS4 results etc)
- behavioural information such as exclusions and alternative provision in place
- eligibility to receive bursary funding
- learner information
- details about any equipment assigned to the student
- dietary requirements
- relevant medical information (details of doctor, allergies, medication etc)
- special educational needs information
- ethnicity (including language spoken and nationality)
- religious or other beliefs
- fingerprints
- concerns about child protection or safety
- whether the student is adopted or in care
- recording of remote learning may take place from time to time

We need this information to:

- assess the student's eligibility to attend our school and process their admission request
- help us build a picture of their educational, social and health needs, so we can support them and provide appropriate pastoral care where required
- support student learning and to help them reach their educational goals
- monitor and report on student progress, attainment, attendance and behaviour
- provide library, ICT and learning resources
- communicate with our students regarding homework and other important school matters
- safeguard and keep children safe
- comply with laws regarding data sharing
- assist in the prevention or detection of crimes
- maintain student records
- assess eligibility for funding, bursaries and grants
- respond to complaints, grievances and discipline investigations
- assess the quality of our services
- meet statutory duties placed upon us by the Department for Education
- provide cashless catering services (this relates to the collection of student fingerprints)

Collecting student information

We obtain student information via registration forms at the start of each academic year. In addition, when a child joins us from another school, we are sent a secure file containing relevant information. Student data is essential for the schools' operational use. Whilst most of the student information you provide to us is mandatory, some of it is provided to us 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 student 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.

Recording of remote learning may take place from time to time but where this does happen, parent/carer or student will be notified prior to the event taking place.

Storing student data

We hold student data securely for the set amount of time shown in our data retention schedule. For more information regarding our data retention schedule and how we keep your data safe, please visit <https://www.st-cuthbertmayne.co.uk/> and click on the 'GDPR' option under 'Information'.

2. Who do we share student data with and why?

Department for Education

We are required to share information about our students with the DfE (this may include the school census, end of key stage results and school admissions), either directly or via our local authority so that the DfE can carry out their statutory duties. Our duty to share this information comes under

- [Section 537A of the Education Act 1996](#)
- [the Education Act 1996 s29\(3\)](#)
- [the Education \(School Performance Information\)\(England\) Regulations 2007](#)
- [regulations 5 and 8 School Information \(England\) Regulations 2008](#)
- [the Education \(student Registration\)\(England\)\(Amendment\) Regulations 2013](#)
- [the Schools Admission Code](#) Including conducting Fair Access Panels

- Regulation 3 of The Education (Information About Individual students) (England) Regulations 2013

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

We may also be required to share child protection or safeguarding information with local authorities, so we can carry out our statutory duties under section 11 of the Children’s Act 2004 (duty to safeguard and promote the welfare of children) and to enable the local authority to carry out their duties under section 47 of the Children’s Act 1989 (duty to investigate and take action to safeguard children).

Children in need and looked after children information

We are required to share information with the DfE about our students who are ‘children in need’ or ‘looked after’, so the DfE can carry out their statutory duties regarding data collections. Our duty to share this information comes under regulation 3 of The Education (Information About Individual students) (England) Regulations 2013. This is so we can both support those students and provide them with the necessary pastoral care.

To find out more about the data collection requirements placed on us by the DfE 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 student Database (NPD)

Much of the data about students in England goes on to be held in the National student Database (NPD). The NPD is owned and managed by the Department for Education and contains information about students 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-student-database-user-guide-and-supporting-information>

Other schools

We are required to share a student's Common Transfer File and educational record with their next school when they leave us. We are also required to share a student’s ‘curricular record’ with their intended school, upon request. We are required to share this data under The Education (student Information) (England) Regulations 2005.

Educational psychologists, school nurse and other professionals

We may share information about a student with educational psychologists, health workers (including the school nurse), social workers or other professionals, to ensure the student receives the appropriate health, wellbeing and educational support they need. Sharing in these instances, will be carried out with the consent of the parent/carer and/or student, where required.

Standards and Testing Agency

We are required to share information about students in Foundation Stage, year 1, year 2 and in year 6 to the Standards and Testing Agency, so they can facilitate and report on our Foundation Stage,

key stage 1 and key stage 2 national curriculum tests (commonly referred to as SATs). More information about reception baseline assessments and SATs are available at www.gov.uk/government/publications/key-stage-1-and-2-national-curriculum-tests-information-for-parents and www.gov.uk/guidance/reception-baseline-assessment

Examination Boards and Moderators

We are required to share information about our students with examination boards and moderators, so they can enter our students into exams, make accessibility arrangements for them where required, mark their work and issue their grades.

Youth support and careers advisors

Once our students reach the age of 13, we must share student information 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 youth support services and careers advisors.

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 student once they reach the age 16.

We must also share certain information about students 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 post-16 education and training providers; youth support services and careers advisors.

A student once they reach the age of 16, can object to only their name, address and date of birth being 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 at <https://www.torbay.gov.uk/schools-and-learning/>.

How Government uses your data

The student 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 (for example, school GCSE results or student 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)
- 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](#)
- We do not share information about our students with anyone without consent unless the law and our policies allow us to do so.

The law allows the Department to share students' 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 students per year to the Home Office and roughly 1 per year to the Police. For information about which organisations the Department has provided student 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: To contact DfE:

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

3. What is our legal basis for processing student data?

When processing personal data about our students, we rely on the following legal bases, which are set out in Article 6 of the GDPR:

- it is necessary for us to perform a task carried out in the public interest or in the exercise of our official duties
- it is necessary for us to comply with a specific legal obligation
- the data subject has given us their consent
- it is necessary to protect the vital interests of a person (to keep them safe, food allergies or medical conditions)

When we process 'special' data about our students, we rely on one or more of the following legal bases as well, which are set out in Article 9 of the GDPR:

- the data subject has given us their explicit consent
- it is necessary for us to carry out our obligations and exercise our or the data subject's specific rights relating to employment, social security and social protection law
- processing is necessary to protect the vital interests of a person where the data subject is physically or legally incapable of giving consent
- processing is necessary for reasons of substantial public interest

Other legal bases listed in Article 9 of the GDPR may also apply, depending on the processing required.

4. What are your data protection rights?

Your right of access

You have the right to ask us for copies of your personal data. There are some exemptions, which means you may not always receive all the information we process.

Your right to rectification

You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure

You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing

You have the right to ask us to restrict the processing of your information in certain circumstances.

Your right to object to processing

You have the right to object to us processing your information where we consider this is necessary for us to perform a task in the public interest. You can also object to us using your contact details to send you direct marketing or fundraising communications.

Your right to data portability

This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you. The right only applies if we are processing information based on your consent or under a contract (or in talks about entering into a contract) and the processing is automated.

Your right to complain

We work to high standards when it comes to processing your personal information. We hope you will always be happy with the way we handle your information, however if we have not met your expectations, please let us know so we can put things right. To do this, please email the school at daneian.rees@stcm.torbay.sch.uk. If you remain dissatisfied, you have the right to complain to the Information Commissioner's Office (ICO). The ICO's contact details are available at <https://ico.org.uk/concerns>

You are not required to pay a charge for exercising your rights and we have one month to respond to you. If you are a parent/carer and want to request a copy of your child's educational record, this type of request will be handled under The Education (student Information) (England) Regulations 2005. We will respond to these types of requests within 15 working days (i.e. days when the school is open).

Please email us at daneian.rees@stcm.torbay.sch.uk if you would like to make a request or complaint or contact the school office on 01803 328725.

Further information about your data protection rights, can be found on the Information Commissioner's Office website at www.ico.org.

If you have any queries about this privacy notice, or the way your personal information is being handled by the school, contact our Data Protection Officer Annette Henry via daneian.rees@stcm.torbay.sch.uk.

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 our Data Protection Officer Annette Henry via daneian.rees@stcm.torbay.sch.uk.

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 6th October 2020.

Contact

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

- Our Data Protection Officer Annette Henry via daneian.rees@stcm.torbay.sch.uk
- Torbay Local Authority

Version	Change History	Date
1.0	Document created	06/10/2020
1.1	Document edited	22/02/2021