



# Privacy Notice

(for students)

## Why do we collect and use personal information?

We collect and use student information under General Data Protection Regulations

- Article 6(1)(e) – the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- Article 9(2)(g) – the processing is necessary for reasons of substantial public interest
- Data Protection Act (GDPR) 2018 – The information that you provide on our forms will be held on the computerised database maintained by the school as the data controller

Your data will be used in accordance with the principles set out in the GDPR 2018, which protects the right to privacy of individuals whose personal details are held by the data controller. Prospect School will only make details available within the Local Authority; to Hampshire County Council (HCC) schools and their governance bodies; the Department of Education (DfE) or any other bodies involved with the care of students in this school. This information is gathered in order to enable the provision of education and other associated functions. In addition, the school may be required by law to collect, use and share certain information. In accordance with HCC's retention schedule we will keep students' data including religion and medical information until the student reaches age 22, unless there is a child protection issue, in which case the records will be kept until age 25. This information is used by DfE and HCC.

## We use the student data:

- to protect student welfare and carry out safeguarding activities
- to support student learning including online resources
- to monitor and report on student progress
- to provide appropriate pastoral, special educational need and medical care
- to assess the quality of our services and how well our school is doing
- for statistical forecasting and planning
- to comply with the law regarding data sharing
- to communicate with parents and carers

## The categories of personal information that we collect, hold and share include:

- Personal information (such as name, photo, unique student number and address, parental and guardian and contact details)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons) and exclusions
- Assessment information
- Modes of travel
  - Relevant medical, special educational needs and behavioural information
  - Post 16 learning information
  - Biometric coded print

The General Data Protection Regulation allows us to collect and use student information with consent of the data subject, where we are complying with a legal requirement, where processing is necessary to protect the vital interests of a data subject or another person and where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. When the personal information is Special Category Information we may rely on processing being in the substantial public interest in addition to consent of the data subject and the vital interests of the data subject or another. Our requirement for this data and our legal basis for processing this data includes the Education Act 1996, 2002 and 2011, The Children's Act 1989 and 2004, Education and Skills Act 2008, Schools Standards and Framework Act 1998 and the Equalities Act 2010 and General Data Protection Regulations.

- Article 6(1)(e) – the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- Article 9(2)(g) – the processing is necessary for reasons of substantial public interest

## Collecting personal information

Whilst the majority of personal 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 personal information to us or if you have a choice in this. Where we are using your personal information only on the basis of your permission you may ask us to stop processing this personal information at any time.

## Storing personal data

In accordance with Hampshire County Council's retention schedule we will keep students' data including religion and medical information for 10 years from their school leaving date. Who do we share student information with? We routinely share student information with:

- Receiving schools / educational establishments that the students attend after leaving us
- Our local authority
- The Department for Education (DfE)
- Offsite educational providers who we work with to support additional placements for some students
- Bought in counselling and student support services
- Providers of our online educational and communication resources
- Our catering and biometric facility provider

*'Raising aspirations, building futures'*

- NHS medical services
- Police when they make specific requests for the information.

For students enrolling for post 14 qualifications, the Learning Records Service will give us a student's unique learner number (ULN) and may also give us details about the student's learning qualifications.

## Why we share student information

We are required to share information where it is necessary for reasons of substantial public interest.

We do not share personal information 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.

For any of our dual registered students attending student referral units, we are required to pass information about our students to the Department for Education (DfE) under regulation 4 of The Education (Information About Individual Students) (England) Regulations 2013. 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-collectionand-censuses-for-schools>.

Youth Support Services for students aged 13+ - once our students reach the age of 13, we also pass student 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 / guardian can request that only their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / student once he/she reaches the age 16.

Our students aged 16+ - we will 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 services as follows:

- post-16 education and training providers
- youth support services
- careers advisers

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

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.

We are required by law, to provide information about our students 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 Students) (England) Regulations 2013.

To find out more about the student information we share with the department, for the purpose of data collections, go to

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

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

The department may share information about our students 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 the 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 student 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 student information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-student-database-requests-received>

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

Requesting access to your personal data under data protection legislation - parents and students 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 [Ishackleton@prospectschoolhavant.com](mailto:Ishackleton@prospectschoolhavant.com) or telephone: 023 9400 6226.

You also have the right, subject to some limitations 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
- 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, 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/>