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# Pupil and Parent Privacy Notice

November 2023



**University of Birmingham School**

**Privacy Notice for Parents/Carers and Pupils/Students**

University of Birmingham School is committed to protecting the privacy and security of personal information. This privacy notice describes how we collect and use personal information about pupils, in accordance with the UK General Data Protection Regulation (UK GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

Following Brexit, Regulation (EU) 2016/ 679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

**Who Collects This Information**

University of Birmingham School is a “data controller.” This means that we are responsible for deciding how we hold and use personal information about pupils and parents.

**The Categories of Pupil Information That We Collect, Process, Hold, and Share**

We may collect, store and use the following categories of personal information about you: -

- Personal information such as name, pupil number, date of birth, gender and contact information;
- Emergency contact and family lifestyle information such as names, relationship, phone numbers and email addresses;
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility);
- Attendance details (such as sessions attended, number of absences and reasons for absence);
- Pupil / Student and curricular records;
- Performance and assessment information; internal assessment and externally set tests
- Behavioural information (including exclusions);
- Special educational needs information;
- Safeguarding information;
- Relevant medical information including physical and mental health;
- Images of pupils engaging in school activities, and images captured by the School's CCTV system;
- Photographs;
- Information about the use of our IT, communications and other systems, and other monitoring information;

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

### **Collecting this Information**

Whilst the majority of 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.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

### **How We Use this data**

We hold data and use it for: -

- We need to comply with the law
- Protect pupil welfare
- Assess the quality of our services
- Carry out research
- Comply with the law regarding data sharing
- Provide access to services such as school dinner or trips
- Promote the school and celebrate success
- Get in touch with you and your parents when we need to
- Check how you're doing in exams and work out whether you or your teachers need any extra help
- Providing education services and extra-curricular activities to pupils
- Informing decisions such as the funding of schools;
- Giving and receive information and references about past, current and prospective pupils, and to provide references to potential employers of past pupils;
- Managing internal policy and procedure;
- Enabling pupils to take part in assessments, to publish the results of examinations and to record pupil achievements;
- To carry out statistical analysis for diversity purposes;
- Enabling relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- Monitoring use of the school's IT and communications systems in accordance with the school's IT security policy;

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

We only collect and use your information 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 your personal information where:-

- We have obtain consent to use it in a certain way;
- We need to protect the individuals vital interests (or someone else's interests)
- The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at: [https:// www.gov.uk/ education/ data-collection-and-censuses-for-schools](https://www.gov.uk/education/data-collection-and-censuses-for-schools).

Where we have obtained consent to use your data, you or your parents/ carers may withdraw this at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

### **Data Sharing**

We may need to share your data with third parties where it is necessary. There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it's the only way we can make sure you stay safe and healthy or we are legally required to do so.

We share pupil information with: -

- the Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013;
- Ofsted;
- Your family and representatives – to tell them how you are doing in school, and to talk about any concerns or share details of things which have gone really well;
- Other Schools that pupils have attended/ will attend;
- NHS;
- Welfare services (such as social services);
- Law enforcement officials such as police, HMRC;
- Local Authority Designated Officer;
- Professional advisors such as lawyers and consultants;
- Support services (including insurance, IT support, information security);
- Providers of learning software
- The Local Authority.
- Educators and examining bodies – to make sure you can use all of the systems we provide and are entered for the right exams
- Our auditors – to meet our legal duties around how we spend the Schools money

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations, we require them to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

### **Why We Share This Information**

We do not share information about our pupils with anyone without consent unless otherwise required by law.

For example, we share students' data with the DfE on a statutory basis which underpins school funding and educational attainment. To find out more about the data collection requirements placed on us by the DfE please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

### **Storing Pupil/Student Data**

The School keep information about pupils on computer systems and sometimes on paper.

Except as required by law, the School only retains information about pupils for as long as necessary in accordance with timeframes imposed by law and our internal policy.

Full details on how long we keep personal data for is set out in our data retention policy.

### **Automated Decision Making**

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision making in limited circumstances.

Pupils will not be subject to automated decision-making, unless we have a lawful basis for doing so and we have notified you.

### **Security**

We have put in place measures to protect the security of your information (i.e. against it being accidentally lost, used or accessed in an unauthorised way).

### **Pupils aged 13+**

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.

We must provide the pupils name, the parents name(s) and any further information relevant to the support services role.

This enables them to provide services as follows:

- youth support services
- careers advisers

A parent or 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 / pupil once he/ she reaches the age 16.

### **Pupils/Students 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

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

## **The National Pupil Database**

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](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](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](https://www.gov.uk/government/publications/national-pupil-database-requests-received)

To contact DfE: [https:// www.gov.uk/ 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 education record, contact Mr Haslam, School Business Leader – [r.haslam@uobschool.org.uk](mailto:r.haslam@uobschool.org.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 purposes 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 want to exercise any of the above rights, please contact Mr Haslam in writing.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **Right to Withdraw Consent**

In circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact Ms Cosimetti – [a.cosimetti@uobschool.org.uk](mailto:a.cosimetti@uobschool.org.uk). Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **Contact**

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, we request that you raise your concern with Mr Haslam in the first instance.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by Mr Haslam, then you can contact the DPO on the details below: -

**Data Protection Officer: Judicium Consulting Limited**

**Address: 72 Cannon Street, London, EC 4N 6AE**

**Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)**

**Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk) Lead**

**Contact: Craig Stilwell**

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns>.

### **Changes to this Privacy Notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.