



## Privacy Notice (How we use student information)

When your child starts at school and, as they continue to progress through the education system, we ask for and collect data in order to fulfil certain legal obligations and to support your child with their education, as well as their personal and social development. We take our responsibilities in this respect very seriously and your data is only shared with outside authorities where we are either legally required to do so, or to inform other agencies who are also involved in supporting your child whilst at school. There may also be times where medical information needs to be shared in the event of an emergency.

The purpose of this Privacy Notice is to inform you about the data we hold, who we share it with, why we share it and how long we retain it all. We are also, by law, required to advise you of the 'lawful basis/bases' under which we collect and process the data, as defined by the 'General Data Protection Regulations Act (GDPR)'. Below you will find a general outline of the data we hold but more detailed information can be found in our audit document on the school website or alternatively, you can obtain a hard copy from the school office.

*You can also find out more information about that by visiting our school website.*

The data that we collect about your child is defined by the GDPR as 'personal data' and in some cases is also called 'special category data', data which is perceived as being more sensitive (e.g. data on ethnicity and religion as well as medical data).

### The categories of student information that we collect, hold and share for all students include:

- **Personal information** (such as name, unique student number, contact details and address)
- **Characteristics** (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- **Safeguarding information** (such as court orders and professional involvement)
- **Attendance and Behavioural information** (such as sessions attended, number of absences and absence reasons, any exclusions, previous schools and alternative provision arrangements)
- **Special educational needs information** (including the needs and ranking)
- **Assessment and attainment** such as School Reports, Assessment data, exams & test results, predicted grades, Tracking & Mock Grade.
- **Medical information** such as allergies, medical conditions, disabilities, physical and mental developmental difficulties, doctor's contact details
- **Post 16 learning information**
- **Catering** biometric and purchase records

### Why we collect and use this information

We use the student data:

- to support student learning



- to monitor and report on student progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard students
- to support the work of other external organisations involved in the support of your child
- to meet the statutory duties placed upon us for the Department for Education (DfE) data collection

In addition, throughout the school year we also take photograph and videos of students which are used:

- for displays around the school
- within our school prospectus and on our school website
- reports for sporting events, school plays or other purposes within school publications and the general media

#### **The lawful bases on which we use this information**

**Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing pupil information are:**

- to fulfil our duties as a public authority, which is defined as our **'public task'**
- in order to ensure that we provide your child with the right level of support in order for them to progress well during their time at school, which is defined as our **'legitimate interest'**
- in the case of an emergency where your child might need medical help and we are unable to contact you, which is defined as their **'vital interest'**

**We collect and use 'special categories of personal data' under the following 'lawful bases' as defined within the GDPR:**

- Article 9(2)(a): where you have understood the reason for us requesting the data and have given your consent to us doing so for the purpose specified
- Article 9(2)(b): where processing is necessary for the purposes of carrying out the obligations in the area of social protection law
- Article 9(2)(c): that processing is necessary to protect the vital interests of your child or of another person where you or your child are physically or legally unable to give consent.
- Article 9(2)(d): that processing is carried out in the course of our legitimate activities, with appropriate safeguards

**For the taking and use of photographs and/or videos of students and for the use of biometrics for catering payments our lawful basis as defined within the GDPR is 'consent'. We will write to you when your child starts at our school to ask for your consent and will supply you with more detail.**



We also operate CCTV on our site – this is done on the basis of legitimate interests of both the school, its staff and students.

### **Collecting student information**

We collect student information via data collection forms completed by parents/carers during the enrolment process. This is updated as necessary to take account of any changes. This is supplemented by information received by the Common Transfer File (CTF) secure data transfer from previous schools and Government websites where necessary.

Student data is essential for the Schools' operational use. The majority of basic student information you provide to us when your child joins the school is mandatory. Certain additional details may be provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you whether you are required to provide certain student information to us or if you have a choice in this.

### **Storing student data**

We hold the majority of student data for the time that your child remains at our school. When they transfer to another educational provider, their data is also transferred.

Their final school will hold the majority of student data (contained within their individual student files) until they reach the age of 25. Some data is held for a shorter period of time and is thereafter destroyed. More detailed information can be found on our website or by asking at the school office.

### **Who we share student information with**

We are required to routinely share student information with:

- Wiltshire Council Local Authority (LA).
- The Department for Education.
- Awarding Bodies.
- Other educational establishments that students attend after leaving us.
- Other educational establishments that students attend while on roll with us.
- Providers of educational & communication software purchased by the school e.g. Class Charts, Parent Pay, School Gateway, Sparx, Wonde.
- External organisations used by the school to support performance evaluation e.g. Fisher Family Trust, SISRA, ALPS.
- Wiltshire/school nursing team– and other health providers such as CAMHS and Paediatricians.
- Youth support services (pupils aged 13+)
- Statutory services where there is a legal obligation to share information e.g. police, social services.
- Providers of educational trips and visits where student information is required for the trip to go ahead.



- Organisations used by the school to provide support services to students e.g. mentoring, careers, voluntary sector support services such as Wiltshire Youth Adventure Trust and other third sector support services.

### **Why we share student information**

We do 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 LA and 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 the (DfE) under regulation 5 of The Education (Information about Individual Students) (England) Regulations 2013.

To meet our statutory duty to create and maintain an admission register under the Education (Student Registration) (England) Regulations 2006 and subsequent amendments, without which schools are unable to enrol a student.

We also need to share student data to Support teaching and learning. In order to facilitate this, we share information with software suppliers such as those listed above to set up the systems needed for students and parent/carers to access, monitor and report on academic progress, attendance, conduct etc.

Information must be shared with awarding organisations in order for students to access and certificate academic qualifications.

*In addition, if your child joins our school from another school, their individual pupil files will be transferred with them and similarly, when your child leaves our school to attend another educational provider their individual pupil files will be transferred with them, including information regarding any special educational needs they might have, contact with external agencies and/or child protection files.*

### **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>.

### **Youth support services, 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 via a secure transfer system 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



The information shared is limited to the child's name, address and date of birth. However, where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. The right is transferred to the child / student once they reach the age of 16.

### **Students aged 16+**

We will also securely 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.

### **Department for Education (DfE)**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our students with the DfE either directly or via our local authority for the purpose of those data collections. All data is transferred securely and held by the DfE under a combination of software and hardware controls, which meet the current government security policy framework.

### **Students aged 14+ qualifications**

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 or qualifications

### **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 NPD, go to <https://www.gov.uk/government/publications/national-student-database-user-guide-and-supporting-information>.





### Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share students' personal data with certain third parties including:

- schools, local authorities and other government departments and agencies
- researchers
- organisations connected with promoting the education or wellbeing of children in England and those fighting or identifying crime

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 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.

You also have the right to:

- Be informed about how The John of Gaunt School uses your personal data.
- Request access to the personal data that The John of Gaunt School holds.
- Request that your personal data is amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling reason for its continued processing.
- Request that the processing of your data is restricted or object to direct marketing and processing for the purposes of scientific/historical research and statistics.



Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

### **How to find out what personal information the Department for Education (DfE) holds about you**

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- 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 for Education (DfE), you should make a subject access request. Further information on how to do this can be found within the DfE's personal information charter that is found here:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

### **Contact**

If you would like to discuss anything in this privacy notice, please contact the school Data Protection Administrator at [dpa@jogschool.org](mailto:dpa@jogschool.org) or our Data Protection Officer responsible at this school who are i-west. They can be contacted by emailing [i-west@bathnes.gov.uk](mailto:i-west@bathnes.gov.uk)

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following websites:

<http://www.wiltshire.gov.uk/privacy>

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>




If you are unable to access these websites, we can send you a copy of this information. Please contact the LA or DfE as follows:

- Information Governance Team  
Legal and Governance  
Wiltshire Council  
County Hall  
Trowbridge  
BA14 8JN  
[InformationGovernance@wiltshire.gov.uk](mailto:InformationGovernance@wiltshire.gov.uk)  
Telephone: 0300 456 0100
- Public Communications Unit  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT  
<http://www.education.gov.uk/help/contactus>  
Telephone: 0370 000 2288



**The John of Gaunt School**  
*A Community Academy*



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The John of Gaunt School is a Limited Company registered in England - Company Number 7990655  
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