

Privacy Notice (How we use pupil information)

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' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils**.

We, Mercia School, are the 'data controller' for the purposes of data protection law.

The personal data we hold

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

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs and videos
- CCTV images captured in school

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

Why we use this data

We use this data to:

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

Our legal basis for using this data

We only collect and process pupils' 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 pupils' 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)
- We have a legitimate interest

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.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 pupils' personal data overlap, and there may be several grounds which justify our use of this data.

Collecting this information

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

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 will collect the information directly via forms or electronically when the child joins the school. We also collect from indirect sources such as the Local Authority.

How we store this data

We keep personal information about pupils 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. This will be done in accordance with our Retention Policy.

Data sharing

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- The Department for Education (DfE) and Central Government – for research and statistical purposes, to inform, influence and improve education policy and to monitor

the performance of the education service as a whole. DfE may also disclose individual pupil information to independent researchers into the educational achievements of pupils who have a legitimate need for it for their research, but each case will be determined on its merits and subject to the approval of DfE's Chief Statistician. DfE's powers to pass data to researchers are derived from The Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations. These Regulations restrict the researchers who may receive data to 'persons conducting research into the educational achievements of pupils and who require individual pupil information for that purpose'.

Pupil information may be matched with other data sources that DfE holds in order to model and monitor their educational progression and to provide comprehensive information back to LAs and learning institutions to support their day to day business. DfE may also use contact details from these sources to obtain samples for statistical surveys which may be carried out by research agencies working under contract to DfE. Participation in such surveys is usually voluntary. DfE may also match data from these sources to data obtained from statistical surveys.

Pupil data may also be shared with other Government Departments and Agencies including Office for National Statistics, RAISEonLine, will use the data for statistical or research purposes only. In all these cases the matching will require that individualised data is used in the processing operation, but that data will not be processed in such a way that it supports measures or decisions relating to particular individual pupils or identifies individuals in any results. This data sharing will be approved and controlled by DfE's Chief Statistician.

- Local government - the Local Authority (Sheffield City Council) uses the information about children for whom it provides services to carry out specific functions for which it is responsible, such as the assessment of any special education needs the child may have. It also uses the information to derive statistics to inform decisions on (for example) the funding of schools, and to assess the performance of schools and set targets for them. The LA is also required to maintain the accuracy of all information held about children and young people in their area. The Local Authority (LA) may also share information with other LA's.
- Educators, trainers and examining bodies - approved organisations (including other schools after the pupil leaves us) will be allowed to access the limited set of personal data. More information on the PLR, ULN, learner plan and qualification credit framework is available on the Learning Records Service website. This sharing of data reduces the need for learners to have to supply the same information repeatedly to different organisations, and significantly reduces the risk of inaccurate information being held about them. Details of how an individual may opt out of sharing achievement data in their PLR with these organisations are also available from the Learning Records Service.

The Qualifications and Curriculum Development Authority (QCDA) uses information about pupils to administer the national curriculum assessments portfolio throughout Key Stages 1 to 3. This includes both assessments required by statute and those that are optional. The results of these are passed on to the Department for Education to compile statistics on trends and patterns in levels of achievement. The QCDA uses the

information to evaluate the effectiveness of the national curriculum and the associated assessment arrangements, and to ensure that these are continually improved.

The Young Peoples Learning Agency (YPLA) uses information about pupils for statistical purposes, to evaluate and develop education policy and monitor the performance of the education service as a whole. The statistics (including those based on information provided by the QCDA) are used in such a way that individual pupils cannot be identified from them. On occasion information may be shared with other Government departments or agencies strictly for statistical or research purposes only. www.ypla.gov.uk

The Qualifications and Curriculum Development Agency (QCDA) and the Joint Council for Qualifications (JCQ) uses information about pupils to administer the national curriculum assessments portfolio throughout the Key Stages. This includes both assessments required by statute and those that are optional. The results of these are passed on to DFE to compile statistics on trends and patterns in levels of achievement. The QCA uses the information to evaluate the effectiveness of the national curriculum and the associated assessment arrangements, and to ensure that these are continually improved. www.qca.org.uk and/or www.jcq.org.uk

The Skills Funding Agency uses information about pupils aged 14 and over (or enrolling for post-14 qualifications) for statistical purposes, in order to evaluate and develop education policy and monitor the performance of the education service as a whole. Further information on how this data is used may be found on the Skills Funding Agency website. The Skills Funding Agency also administers the Learning Records Service (previously known as the Managing Information Across Partners Programme) which uses a minimum set of personal data to:

- issue and maintain a unique learner number (ULN) for pupils of 14 years and over and for those registering for post-14 qualifications
- create and offer a personal learning record (PLR) to enable advice and guidance to be offered to the learner (for example, helping to choose the right course)
- facilitate the processing of qualification awards by approved awarding organisations.
- NHS and healthcare professionals - Department of Health (DfH) uses anonymised information about pupils' height and weight collected in primary schools as part of the National Child Measurement Programme to inform, influence and improve health policy. Information is also shared for the purpose of administering the immunisation programme for school children.
- The pupil's family and representatives
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations – to meet our legal obligations
- Our auditors
- Security organisations
- Health and social welfare organisations ie. GPs and Social Services
- Professional advisers and consultants
- Voluntary and Charitable organisations
- Law enforcement organisation and courts
- School trip organisations

National Pupil Database

We are required to provide information about pupils 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 Pupil 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](#) with any further questions about the NPD.

Youth support services

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to Sheffield Futures 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 pupils once aged 16 or over, can contact our data protection officer to request that we only pass the individual's name, address and date of birth to Sheffield Futures.

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 local authority website.

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.

Your data protection rights

Under data protection law, you have rights including:

Your **right of access** - You have the right to ask us for copies of your personal information.

Your **right to rectification** - You have the right to ask us to rectify personal 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 personal information in certain circumstances.

Your **right to object to processing** - You have the the right to object to the processing of your personal information in certain circumstances.

Your **right to data portability** - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at enquiries@merciaschool.com, 0114 5539080 or by post at Mercia School, Carter Knowle Road, Sheffield S7 2DY if you wish to make a request.

There is no automatic parental right of access to educational records in academies, however, the Trust has determined that parents, or those with parental responsibility, can have free access to their child's **educational record** (which includes most information about a pupil) within 15 school days of receipt of a written request.

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

To exercise any of these rights, please contact our data protection officer.

Changes to this Statement

We may modify this Privacy Notice from time to time to reflect changes in our information practices or relevant laws. When we make material changes, we will post a notice on our website and send you a text message or email to notify you. Hard copies will also be available in school. Any changes to our Privacy Notice will become effective upon posting.

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 us in the first instance.

To make a complaint, please contact our data protection officer.

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

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 Officer**:

Miss Emma Staley
Mercia Learning Trust, 79 Glen Road, Sheffield, S7 1RB
Telephone 0114 349 4230

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