

Yew Tree Farm School Privacy Policy

How we use student information

Under data protection/General Data Protection Regulation (GDPR) law Yew Tree Farm School has certain obligations as a data controller of personal information. This document is intended to make clear what information we hold, the purpose for us holding that information and our obligations in relation to it, and also make you aware of your rights as data subjects.

Please do not hesitate to contact us on using the details at the bottom of this notice should you have any questions in relation to the information below.

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

- Personal information (such as name, unique pupil number and address).
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility).
- Safeguarding and social care information
- Medical information (any relevant medical conditions or treatments including long term conditions, administration of medicines and a log of any incidents/illnesses that we are aware of that occurred in school).
- Physiotherapy and Occupational therapy information
- Attendance information (such as sessions attended, number of absences and absence reasons including any exclusions).
- Assessment information (such as periodic teacher judgements on progress etc. and also examination results).
- Behaviour (record of behaviour events associated with a child).
- SEN (record of any Special Education Needs along with associated observations, strategies and learning plans).
- Use of internet and ICT resources to ensure safe and appropriate use of resources.

Why we collect this information

We use the student data:

- to support student learning;
- to safeguard pupils.
- 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;

An anonymised string created from your email address (also called a hash) may be provided to the Gravatar service to see if you are using it. The Gravatar service Privacy Policy is available here: [Privacy Policy – Automattic](#). After approval of your comment, your profile picture is visible to the public in the context of your comment.

The lawful basis on which we use this information

We collect and use student information to meet legal requirements and legitimate interests set out in the Education Act 1996 and Regulation 5 of the Education Regulations 2013. To conform with GDPR, any information the academy processes fulfils one of the following requirements from Article 6 of the GDPR:

- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- processing is necessary for compliance with a legal obligation to which the controller is subject;
- processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- 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.

Where we process special categories of personal data we do so under obligations covered in Article 9 of GDPR:

- the processing is necessary for reasons of substantial public interest.
- Where the above do not apply the academy will seek consent for specific purposes in line with the following Article 6.1.a.
- the data subject has given consent to the processing of his or her personal data for one or more specific purposes.

This will be done in writing and will clearly define any other uses of personal information and ask for consent for each and every use.

Collecting Student Information

Whilst the majority of student information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the GDPR, we will inform you whether you are required to provide certain student information to us or if you can opt out of providing information.

Storing Student Information

Yew Tree Farm School has a document retention policy which adheres to the requirements of relevant legislation. This policy has a schedule that states how long files should be retained and furthermore, when and how they can be destroyed. The document retention guidelines adhere to the fifth principle of GDPR that states personal data shall be;

“kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals”

We routinely share student information with:

- Schools/other educational establishments that the students attend after leaving the academy;
- Kent local authority
- also, the individual pupil's local authorities, which may be different to Kent.
- the Department for Education (DfE);
- the NHS.

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 student 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 the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

The National Pupil Database (NPD)

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/nationalpupil-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 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;
- 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>

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>

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

Requesting access to your data

Under data protection legislation, parents have the right to request access to the information that we hold in relation to them or their child. To make a request for your personal information, or be given access to your child's educational record, contact office@yewtreefarmschool.co.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 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, 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/>