



DSTC

Privacy Notice for Pupils and Parents

DSTC 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 General Data Protection Regulation (GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

DSTC is the "data controller" for the school. This means that the School is responsible for deciding how we hold and use personal information about pupils.

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

- Personal information (such as name, date of birth, unique pupil number and address)
- Characteristics (such as ethnicity, language and free school meal eligibility)
- Emergency contact information (parents/carers names and telephone numbers)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as targets and progress against targets)
- Post 16 Learning information
- Relevant medical information
- Special educational needs information
- Behavioural/exclusions information
- Child safeguarding information
- Images of pupils engaging in school activities, and images captured on our CCTV systems

- Information about the use of our IT, communications and other systems, and other monitoring information
- Special categories of personal data (including ethnicity, relevant medical information, special educational needs information)

Collecting pupil information

Whilst the majority of pupil 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.

Why we collect and use this information We use the pupil data:

- Pupil selection (and to confirm the identity of prospective pupils and their parents);
- Providing education services and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- Informing decisions such as the funding of schools;
- Assessing Safeguarding pupils' welfare and providing appropriate pastoral (and where necessary medical) care;
- Support teaching and learning;
- Giving and receive information and references about past, current and prospective pupils, and to provide references to potential employers of past pupils;
- Enabling pupils to take part in assessments, to publish the results of examinations and to record pupil achievements;
- Legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care;
- Enabling relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- To carry out statistical analysis for diversity purposes;
- Monitoring use of the school's IT and communications systems in accordance with the school's IT security policy;
- Making use of photographic images of pupils in school publications, on the school website ManWhere otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school;
- To assess the quality of our services;
- To comply with the law regarding data sharing.

The lawful basis on which we use this information:

We collect and use pupil information under Article 6 Section 1(e) of the General Data Protection Regulations (GDPR) April 2016.

We will only use your information when the law allows us to. Most commonly, we will use your information in the following circumstances: -

- Consent: the individual has given clear consent to process their personal data for a specific purpose;
- Contract: the processing is necessary for a contract with the individual;
- Legal obligation: the processing is necessary to comply with the law (not including contractual obligations);
- Vital interests: the processing is necessary to protect someone's life.
- Public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law; and
- 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>.

We need all the categories of information in the list above primarily to allow us to comply with legal obligations. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Storing pupil data

We hold pupil data electronically on the school's information system, which is stored on the secure school network. This can be accessed by individual personal logins for those members of staff who have a legitimate need of access. Staff logins are also limited to the specific pupil data categories required to carry out their functions.

Paper records are stored in locked filing cabinets that are only accessible to those members of staff who have a legitimate need to access them.

Except as required by law, pupil information is only retained for as long as necessary in accordance with timeframes imposed by law and our internal policy.

If you require further information about our retention periods, please let our Data Protection Officer know who can provide you with a copy of our retention schedule.

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).

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 is 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:

- Department for Education (DfE)
Ofsted
- our local education authority (Kent County Council)
- our Management Information System Supplier
- Examination Awarding Bodies (AQA, Pearson, OCR etc.)
- target setting and assessment monitoring
software companies
- NHS, school nurse welfare services and care
agencies
- school catering company
- school trip payment
software company
- our library system
- University Admissions (UCAS)
- other schools that pupils have attended/will attend
- third party software providing educational support such as parental
communication, exam revision websites and educational games sites
- law enforcement officials such as
the police
- Local Authority Designated
Officer
- professional advisors such as lawyers and consultants;
- support services (including insurance, IT support, information security)

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 pupil information

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

We share pupils' 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 pupils with the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

We are required by law to pass some of your information to Kent County Council (KCC) as part of the Intended Destination, September Guarantee and Annual Activity processes.

This is to assist KCC fulfil its legal obligation under the Education and Skills Act 2008 and the Apprenticeship, Skills, Children and Learning Act 2009 to assist, encourage and enable young people aged 13-19 (and young adults with learning difficulties or disabilities up to the age of 25) to participate in education or training. KCC is then required to share this information with the Department of Education.

We share pupil information with other third parties as detailed above to assist us in fulfilling our legal obligation of educating pupils.

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/datacollection-and-censuses-for-schools>.

Youth support services 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.

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 be 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 of 16.

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.

Law requires us 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.

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 to and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and are 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 information about which organisations the department has provided pupil information, (and for

To contact DfE: 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 educational record, contact The Data Protection Officer, DSTC, Heath Lane, Dartford, Kent DA1 2LY

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; 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 the Data Protection Officer or email Office@dstc.kent.sch.uk 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.

If you would like to discuss anything in this privacy notice, please contact The Data Protection Officer at the above address.

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, in the unlikely event that we are unable to resolve any concern, you may contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

We reserve the right to update this privacy notice at any time, and we will provide you with a new 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.