

# NESTON HIGH SCHOOL

## Privacy Notice (How we use student information)

### Privacy notice for Students and Parents/Carers

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 **you**.

We, Neston High School, are the 'data controller' for the purposes of data protection law. Our Data Protection Officer is Mr M Waters, Cheshire West and Chester Council (see 'Contact us' below).

### The categories of student data that we process include:

We hold some personal data about you to make sure we can help you learn and take care of you at school. Personal data that we may collect, use, store and share (when appropriate) about students includes, but is not restricted to:

- personal identifiers and contacts (such as name, unique student number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- student and curricular records
- details of any support received, including care packages, plans and support workers
- photographs
- CCTV images captured in school
- clubs and trips attended

### Why we collect and use this data

We collect and use student information, for the following purposes:

- to support student learning
- to monitor and report on student attainment and progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to protect student welfare
- to meet the statutory duties placed upon us for DfE data collections

- to administer admissions waiting lists
- to carry out research
- to comply with the law regarding data sharing

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

We collect and process student information as part of our public functions under both the Data Protection Act and Article 6, part (e) of the General Data Protection Regulation.

The legislation and guidance that allows us to do this in the UK includes, but is not limited to:

- [The Education Student Registration \(England\) Regulations 2006](#)
- [Education \(Information About Individual Students\) \(England\) Regulations 2013](#)
- [Education Act 2002](#)
- [Education Act 2011](#)
- [Government Guidance on Schools and Education](#)

We only collect and use students' personal data when the law allows us to. Most commonly, we process it where Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing student information are:

- 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
- track how well the school as a whole is performing
- Look after your wellbeing
- we need to comply with a legal obligation

Less commonly, we may also process students' personal data in situations where:

- we have obtained consent to use it in a certain way

In addition, concerning any special category data:

- we need to protect the individual's vital interests (or someone else's interests)
- we need it to perform an official task in the public interest (including public health)

Where we have obtained consent to use students' 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 students' personal data overlap, and there may be several grounds which justify our use of this data.

### **Collecting student information**

We collect student information via different sources including but not limited to:

- student files transferred from a previous school
- secure common transfer file (CTF)Data Transfer from a previous school
- external assessment awarding bodies e.g. examination boards
- student admission forms
- the Local Authority
- professional bodies e.g. medical reports to support SEND provision and support.

Student data is essential for the schools' operational use. Whilst the majority of student information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain student information to us or if you have a choice in this.

### **Storing student data**

We hold student data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how long we keep your personal data for please visit the policies and procedures section of our our website [Nestonhigh.com](http://Nestonhigh.com).

Personal information is stored securely in password restricted files or software. Some sensitive information is stored with higher restrictions and double authentication access requirements. Archive hardcopy personal information is stored in a locked archive store in the school building.

## Who we share student information with

We routinely share student information with:

- schools that students attend after leaving us
- youth support services (students aged 13+)
- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- Your family and representatives
- Educators and examining bodies
- Our regulator - Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for (including catering providers, school nurse service)
- Financial organisations including the Education & Skills Funding Agency
- Central and local government
- Health authorities
- Health and social welfare organisations
- Professional advisers and consultants
- Police forces, courts, tribunals

## Why we regularly 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. Where it is legally required, or necessary for another reason allowed under data protection law we share personal data with organisations and people listed above.

### Youth Support Services

#### Students aged 13+

Once you reach the age of 13, we also pass on student information to Cheshire West & Chester Authority as it has legal responsibilities regarding the education or training of 13 – 19 year olds under section 507B of the Education Act 1996.

The information enables them to provide youth support services, training services and careers advisers. The information shared is limited to your name, address and date of birth. However, where a parent/carer provides consent, other information relevant to the provision of youth support services will be shared.

#### Students aged 16+

We also pass on student information to Cheshire West and Chester Authority and our Careers Service aged 16+, as it has legal responsibilities regarding the education or training of 13 – 19 year olds under section 507B of the Education Act 1996.

The information enables them to provide youth support services, training services and careers advisers. The information shared is limited to your name, address and date of birth. However

where a parent/carer provides consent, other information relevant to the provision of youth support services will be shared.

For all students we also share information with our school careers advice provider Mploy, so that they can provide individual careers advice and guidance.

Data used by Mploy is held in school. Data is transferred to Cheshire West & Chester Authority via a secure portal called Egress.

## Department for Education

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 Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

## Requesting access to your personal data

Under data protection legislation, you have the right to make a subject access request access to information about you that we hold. To make a 'subject access request' request for your personal information, please contact Mrs Phillips, Business Manager via [dataprotection@nestonhigh.com](mailto:dataprotection@nestonhigh.com). You can also ask for a copy of your educational record under educational regulations.

As long as we judge that you can properly understand your rights and what they mean, if you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your parent
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)

- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

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

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

### **Withdrawal of consent and the right to lodge a complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting [dataprotection@nestonhigh.com](mailto:dataprotection@nestonhigh.com).

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 Mrs Phillips, Business Manager [dataprotection@nestonhigh.com](mailto:dataprotection@nestonhigh.com).

### **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 Business Manager:

Mrs Tina Phillips.

In writing at: Raby Park Road, Neston, CH64 9NH

By telephone on: 0151 336 3902

By email to: [dataprotection@nestonhigh.com](mailto:dataprotection@nestonhigh.com)

Data Protection Officer: Mr M Waters

Email: SchoolDPO@cheshirewestandchester.gov.uk

Contact number: 01244 9 72245

## Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated October 2021.

## How Government uses your data

The student data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Student Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

## 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>.

## The National Student Database (NPD)

Much of the data about students in England goes on to be held in 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.

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

The law allows the Department to share students' personal data with certain third parties, including:

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

For more information about the Department's NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>.

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department has provided student information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/df-external-data-shares>.

## How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

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

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