



DATA PROTECTIONS AND GDPR

REVIEW DATE	AUGUST 2019
REVIEW DATE	AUGUST 2020
REVIEW DATE	AUGUST 2021
NEXT REVIEW	AUGUST 2022

PRIVACY POLICY

Privacy Notice for all Pupils

We at Take 1 Studios – Centre for Learning, hold data on your child and are therefore a data controller and subject to follow the General Data Protection Regulation (GDPR) which came into force in May 2018.

The information we hold on your child includes:

- Personal Information (name, unique pupil number and address)
- Characteristics (ethnicity, language, nationality, religion, country of birth and free school meals eligibility)
- Attendance information
- Assessment records
- Medical conditions
- National Curriculum Assessments/Results
- Special Educational Needs and Disability
- Behaviour and Exclusions
- School they attend after they leave us

This information is stored on our school computer system and some of which is also kept as a hard copy in the school office. We also keep safeguarding information on our secure CPOMS system.

Why we collect the data:

- To support learning
- To monitor progress
- To provide pastoral care
- To be able to make health care referrals
- To comply with the law
- To safeguard pupils

Who we share information with:

- Schools/Colleges/Employments that pupils attend after leaving us
- Our local authority
- The Department for Education
- Health Care Professionals

We would never pass on your details to another group without your permission.

The lawful basis on which we use this information:

On May 25th 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:
 - (c) Processing is necessary for compliance with a legal obligation to which the controller is subject;

Article 9

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.
1. Paragraph 1 shall not apply if one of the following applies:
 - (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy (shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

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.

Storing pupil data:

The electronic data storage system currently used in school means that pupil data is never deleted unless done so manually. After a certain amount of years the data can then be deleted or effected so we can no longer pin point a students 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 our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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 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/national-pupil-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 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 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 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 Naomi Fearon our Data Protection Officer.

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 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/>

Contact

If you would like to discuss anything in this privacy notice, please contact the school and ask for a member of SLT or Managing Director.

We at Take 1 Studios, hold data on your child and are therefore a data controller and subject to follow the General Data Protection Regulation (GDPR) which came into force in May 2018.

Our Data Protection Officer Service is intended to assist schools and Multi Academy Trusts (MATs) in complying with the requirement to appointment such a role with the responsibilities set out in Article 39 of the General Data Protection Regulations (GDPR).

Our delivery of the Data Protection Officer role shall include:

1. Providing advice and guidance when required

We will appoint a designated consultant to manage your account. He/she will be an expert in this area and inform and advise your school or MAT, and your employees about the obligations that are required to comply with the GDPR and other data protection laws. This will be done by way of reports, information sheets and training. Telephone and email advice is also available for school or MAT leaders.

2. Creating and maintaining data records

We will assist you to create and maintain comprehensive records of all the data processing activities carried out by the school or MAT, including the purpose of all activities, which must be made public upon request.

3. Drafting data policies and procedures

We will assist you to devise and maintain policies and procedures to regulate your processing of personal data and set out how to interact with external bodies, regulatory authorities, data subjects and information seekers.

4. Providing training for employees

We will offer training to your employees on compliance with GDPR and other data protection laws. Training will be given in two workshops and online once our eLearning course becomes available.

5. Acting as the first point of contact with authorities

We will be the first point of contact for supervisory authorities and for individuals whose data is processed.

6. Managing Subject Access Requests and those under Freedom of Information Act

We will manage enquiries under data protection and freedom of information laws, in that we will manage the data collection process, as carried out by your employees under our direction, and draft the various correspondences with the data subjects and regulatory authorities.

7. Conducting an annual audit of your data processes

In addition to providing regular updates, we will carry out an annual audit to provide an assessment of whether your school or MAT is following good data protection practice. The audit will look at whether you are following your policies and procedures and make recommendations for improvements including any new guidance from the ICO.