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# **Woodpecker Court Privacy Notice (For pupils and their families)**

## Privacy Notice (How we use student information)

Woodpecker Court is the Data Controller for the use of personal data in this privacy notice.

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

- personal identifiers and contacts (such as name, unique 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 (such as key stage 2 and GCSE results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Emotional information through observations and questionnaires

This list is not exhaustive, to access the current list of categories of information we process please see [www.woodpeckercourt.com](http://www.woodpeckercourt.com)

### Why we collect and use student information

The personal data collected is essential, for Woodpecker Court to fulfil their official functions and meet legal requirements.

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

- a) to support student learning
- b) to monitor and report on student attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep students safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us by the Department for Education and other regulatory bodies

Under the General Data Protection Regulation (GDPR), we rely on the law.

### Collecting student information

We collect student information via registration and referral forms.

Student data is essential for the provision's 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 and we will tell you what you need to do if you do not want to share this information with us.

## 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 we keep your data safe, please visit

[www.woodpeckercourt.com](http://www.woodpeckercourt.com)

We will hold your personal information securely and retain it from the student's date of birth until they reach the age of 25, after which the information is archived or securely destroyed.

## Why we can collect and use your personal information

We collect and use student information under section 537A of the Education Act 1996, section 83 of the Children Act 1989, and to carry out tasks in the public interest. If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public interest (equality of opportunity or treatment).

If there is processing or sharing that relies on your consent, we will make this clear to you and ensure we seek your consent.

## Who we share student information with

We routinely share student information with:

- schools/colleges
- local authorities
- youth support services (students aged 13+)
- the Department for Education (DfE)
- Skills Training UK & Twin Training

## 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. [

## Youth support services

### Students aged 13+

Once our students reach the age of 13, we also pass student 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 object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / student once they reach the age 16.

## Student's aged 16+

We will also share certain information about students 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

A child / student once they reach the age of 16 can object to only their name, address and date of birth is passed to their local authority or provider of youth support services by informing us.

For more information about services for young people, please visit the local authority website.

## 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 regulations 4 and 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.

## Local Authorities

We may be required to share information about our students with the local authority to ensure that they can conduct their statutory duties.

## Requesting access to your personal data

Under GDPR, parents and students 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 via The Office.

Depending on the lawful basis above, you may 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
- a right to seek redress, either through the ICO, or through the courts

If you have a concern 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.

## 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 on February 2020.

## Contact

If you would like to discuss anything in this privacy notice, please contact: The Data Protection Officer via the Office. How Government uses your data

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

- underpins provision funding, which is calculated based upon the numbers of children and their characteristics in each provision.
- informs 'short term' education policy monitoring and provision accountability and intervention (for example, provision 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 settings)

## 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)

Much of the data about students in England goes on to be held in the National Pupil Database (NPD).

The NPD is owned and managed by the Department for Education and contains information about students in settings 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 settings, local authorities and awarding bodies.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-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:

- settings
- 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. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 students per year to the Home Office and roughly 1 per year to the Police.

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/dfe-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>