



Malbank School and Sixth Form College

Malbank puts students at the heart of everything it does. - OFSTED

Privacy Notice for Pupils/Parents/Carers/Guardians

Updated May 2018

Welcome to Malbank School and Sixth Form College's (Malbank, us, our, we) privacy notice for pupils and parents/carers/guardians.

This privacy notice provides information on how Malbank collects and processes pupil personal data under data protection legislation including as applicable the General Data Protection Regulation (GDPR).

Important information and who we are

Malbank School and Sixth Form College is the controller and responsible for personal data.

We have appointed a data protection officer (DPO). If you have any questions about this privacy notice or our data protection practices please contact the DPO.

DPO Contact Details

Our full details are:

Full name of legal entity: Malbank School and Sixth Form College

Name or title of DPO: Angela Miller

Email address: akm@malbank.cheshire.sch.uk .

Postal address: Malbank School and Sixth Form College, Welsh Row, Nantwich, Cheshire, CW5 5HD.

Telephone number: 01270 611009



Headteacher: Jeannette E. Walker B.A.(Hons.) NPQH

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The data we collect about you

We collect and hold personal information relating to pupils and may also receive information from their previous school, local authority and/or the Department for Education (DfE). Where a transfer of data occurs this will be completed via a secure file transfer. We also collect pupil information via information forms and / or data collection forms.

Student data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it is 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 pupil information to us or if you have a choice in this.

The personal data we collect/receive/hold and share may include:

- personal identifiers and contacts (such as name, unique pupil 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 phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)

How we use your personal data

We use this personal data:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To assess the quality of our services
- To comply with the law regarding data sharing
- To inform safeguarding practice
- To ensure appropriate provision for student's dietary requirements
- To meet the statutory duties placed upon us for DfE data collections

Lawful Basis for our use of personal data

Under the General Data Protection Regulation (GDPR), processing of personal data is only lawful if it can be justified under article 6 and the processing of special category personal data is only lawful if it can be justified under the article 9 grounds.

In addition to the lawful bases, the processing may be justified on the basis that you have given your consent; if our processing is based upon consent it will be detailed in this notice.

Why we share personal data

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

We are required, by law, to pass some information about our pupils to the DfE. This information will, in turn, then be made available for use by our local authority.

Data sharing with the DfE underpins school funding and educational attainment policy and monitoring.

The DfE may also share pupil level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the General Data Protection Regulation (GDPR).

Decisions on whether DfE releases this personal data to third parties are subject to a robust 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 data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

For more information on how this sharing process works, please visit:

<https://www.gov.uk/guidance/nationalpupil-database-apply-for-a-data-extract>

The security of data transferred by us to third parties will be maintained by the following mechanisms:

- Electronic transfer via encrypted e-mail system
- Secure post service
- Secure data transfer portal

Where we are required to share / transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

How we store personal data

We hold pupil data securely for the set amount of time. For more information on our data retention and how we keep your data safe, please contact Malbank's data protection officer (Angela Miller).

Youth Services

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

The information shared is limited to the child's name, address, date of birth and parental / carer contact details. However where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child / pupil once they reach the age 16.

Data is securely transferred to the youth support service via an encrypted e-mail system and is stored on the school's secure network system. Hard copies of the data is held in the pupil's file and kept until they reach the age of 25.

We will also share certain information about pupils 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

For more information about services for young people, please visit our 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 pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under: section 3 of The Education (Information about Individual Pupils) (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.

Your Legal Rights

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 to access your personal information, or be given access to your child's educational record, contact Angela Miller (Strategic Business Manager & Data Protection Officer) on 01270 611009 or via email akm@malbank.cheshire.sch.uk.

Other Legal Rights

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
- 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 pupil personal data, please raise your concern with Angela Miller in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

How Government uses your data

The pupil 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 Pupil 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 Pupil Database (NPD)

Much of the data about pupils 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 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.

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 pupils' personal data with certain third parties, including:

- schools
- 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 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil 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/dfе-external-data-shares>

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