



Pendle Vale

Students, Parents and Staff Privacy Notices

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1.0 Privacy notice for Students, 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 students.

We, Pendle Vale College, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Mrs R Wilson (see 'Contact us' below).

1.1 The personal data we hold

We hold some personal information about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too, such as: like other schools, the local council and the government.

This information includes:

- Personal information (such as name, photograph, unique Student number, address and emergency contact details)
- results of internal assessments and externally set tests
- student and curricular records
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment and achievement information
- Medical conditions
- safeguarding information
- details of any support received, including care packages, plans and support providers
- Behaviour and exclusions
- Biometric data
- Photographs
- CCTV images captured in school

1.2 Why we use this data

We use this data to help run the school, including to:

- get in touch parents/carers when we need to
- to support student learning
- to monitor and report on student attainment progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us for the Department for Education (DfE) data collections

1.3 Our legal basis for using this Data

We will only collect and use your information when the law allows us to. Most often, we will use your information where:

- we need to comply with the law
- we need to use it to carry out a task in the public interest (to provide you with an education)

Sometimes, we may also use your personal information where:

- you, or your parents/carers have given us permission to use it in a certain way
- we need to protect your interests (or someone else's interest)
- we have received permission to use your data, you or your parents /carers may withdraw this at any time.

We will make this clear when we ask for permission, and explain how to go about withdrawing consent

Some of the reasons listed above for collecting and using your information overlap; and there may be several grounds which mean we can use your data

1.4 Collecting this information

We collect student information via registration forms at the start of the school year or a Common Transfer File (CTF) from your previous school

Student data is essential for the schools' operational use. Whilst most of the student information you provide to us is mandatory, some of it requested on a voluntary basis. 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.

1.5 How we store this 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

1.6 Data sharing

We do not share information about students with any third party, without consent unless, the law and our policies allow us to do so.

- Where it is legally required, or necessary (and it complies with data protection law), we may share personal information about students with:
- our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- the Department for Education
- the student's family and representatives
- educators and examining bodies
- our regulator e.g. Ofsted
- suppliers and service providers: to enable them to provide the service we have contracted them for
- financial organisations
- central and local government
- our auditors
- survey and research organisations
- health authorities
- security organisations
- health and social welfare organisations
- professional advisers and consultants
- charities and voluntary organisations
- police forces, courts, tribunals
- professional bodies

1.7 Youth support services

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

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

Data is securely transferred to the youth support service and is stored and held in line with their retention period.

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

1.8 Department for Education (DfE)

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 section 3 of The Education (Information About Individual Students) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (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. For privacy information on the data the Department for Education collects and uses, please see: <https://www.gov.uk/government/publications/privacy-information-early-years-foundation-stage-to-key-stage-3> and <https://www.gov.uk/government/publications/privacy-information-key-stage-4-and-5-and-adult-education>

1.9 Requesting access to your personal data

The UK-GDPR gives parents and students certain rights about how their information is collected and used. To make a request for your personal information, or be given access to your child's educational record, contact the Data Protection Officer.

You also have the following rights:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'.
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request.
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- the right to ask us to delete your personal information – this is called 'right to erasure'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'.
- the 'right to object to processing' of your information, in certain circumstances
- rights in relation to automated decision making and profiling.
- the right to withdraw consent at any time (where relevant).

- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent.

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 [raise a concern with ICO](#).

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

1.10 Withdrawal of consent and the right to lodge a complaint

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we have done something wrong.

You can make a complaint, at any time, by contacting our Data Protection Officer. You can also complain to the Information Commissioner's Office in one of the following ways:

- 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

1.11 Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer Mrs R Wilson by email at dpo@pendlevalle.lancs.sch.uk

1.12 How Government uses your data

The student data that we lawfully share with the Department for Education (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 (DfE) (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

The National Student Database (NPD)

The NPD is owned and managed by the Department for Education (DfE) and contains information about students in schools in England. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The data in the NPD is provided as part of the operation of the education system and is used for research and statistical purposes to improve, and promote, the education and well-being of children in England.

The evidence and data provide DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-student-database-npd-privacy-notice/national-student-database-npd-privacy-notice>

Sharing by the Department for Education (DfE)

DfE will only share students' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, the law allows the Department for Education (DfE) 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 for Education's (DfE) 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 the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) 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 the Department for Education (DfE) holds about you

Under the terms of the UK GDPR, you are entitled to ask the Department for Education (DfE):

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

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

or

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>

2.0 Privacy notice for staff

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 individuals we employ, or otherwise engage, to work at our school.

We, Pendle Vale College, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Mrs R Wilson

2.1 The personal data we hold

We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- personal information (such as name, employee or teacher number, national insurance number, marital status)
- characteristics information (such as, sex, age, ethnic group)
- next of kin and emergency contact numbers
- contract information (such as start date, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- bank account details, payroll records, national Insurance number and tax status information
- recruitment information, including copies of right to work documentation, references and other information included in a CV (or cover letter) or as part of the application process
- outcomes of any disciplinary and / or grievance procedures
- absence data
- copy of driving licence
- photographs
- CCTV footage
- data about your use of the school's information and communications system

We may also collect, store and use information about you that falls into 'special categories' of more sensitive personal data. This includes information about (where applicable):

- trade union membership
- health, including any medical conditions, and sickness records

2.2 Why we use this data

We use workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid
- facilitate safer recruitment, as part of our safeguarding obligations towards students
- support effective performance management
- inform our recruitment and retention policies
- allow better financial modelling and planning
- enable ethnicity and disability monitoring
- improve the management of workforce data across the sector
- support the work of the School Teachers' Review Body

2.3 Our lawful basis for using this data

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- fulfil a contract we have entered into with you
- comply with a legal obligation
- carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- you have given us consent to use it in a certain way
- we need to protect your vital interests (or someone else's interests)
- we have legitimate interests in processing the data, for example, 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
- some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data

2.4 Collecting this information

We collect personal information via your application form and new starter forms.

Workforce data is essential for the school's/local authority's operational use. Whilst most of the personal information you provide to us is mandatory, some of it is requested on a voluntary basis. To comply with UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

2.5 How we store this data

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with the IRMS Toolkit guidelines:

- Personal file: termination of employment + 6 years
- Appraisal/Performance Management records: current year + 5 years
- DBS Checks - copies of certificates: 6 months
- Oracle information: as per LA/HMRC/pension procedures
- MIS information: as per manual records +6 years after termination
- CCTV – 30 days unless required by the police for court proceedings

2.6 Data sharing

We do not share information about you with any third party without your consent (unless the law and our policies allow us to do so).

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Where it is legally required, or necessary (and it complies with data protection law), we may share personal information about you with:

- our local authority: to meet our legal obligations to share certain information with it, such as safeguarding concerns

- the Department for Education
- your family or representatives
- educators and examining bodies
- our regulator [e.g. Ofsted]
- suppliers and service providers: to enable them to provide the service we have contracted them for, such as payroll, HR, Absences
- Software providers that support internal systems e.g. Bromcom, MIS, Inventry
- trade unions and associations
- police forces, courts, tribunals
- professional bodies
- employment and recruitment agencies
- Copyright Licensing Agency

2.7 Department for Education (DfE)

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 children and young people with the Department for Education (DfE) for the purpose of those data collections.

We are required to share information about our school employees with the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All data is transferred securely and held by the Department for Education (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.

For privacy information on the data the Department for Education (DfE) collects and uses, please see: <https://www.gov.uk/government/publications/privacy-information-education-providers-workforce-including-teachers>.

2.8 Requesting access to your personal data

The UK-GDPR gives you certain rights about how your information is collected and used. To make a request for your personal information, contact Mrs R Wilson

You also have the following rights:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'.
- the right to ask us for copies of personal information we have about you – this is called 'right of access', this is also known as a subject access request, data subject access request or right of access request.
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- the right to ask us to delete your personal information – this is called 'right to erasure'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'.
- the 'right to object to processing' of your information, in certain circumstances
- rights in relation to automated decision making and profiling.
- the right to withdraw consent at any time (where relevant).
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.

- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent.

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 [raise a concern with ICO](#)

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

2.9 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 concerns about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer.