



Rochdale Islamic Academy
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G I R L S ' S C H O O L

Privacy Notice (Students)

Reviewed: August 2023

Next Review: August 2024

Approved by Board of Trustees: August 2023

Privacy notice for Pupils

How we use pupil data

The school collects and uses pupil information in order to fulfil certain legal obligations and to support pupils during their time at the school both for educational purposes and to support with their personal and social development. Data is only shared with external agencies where the school is either legally required to do so or to inform other agencies who are also involved in supporting our pupils during their time at the school. We collect and use pupil information under the principles of the Data Protection Act and the UK GDPR which states that the data is used for 'specified, explicit and legitimate purposes.'

This Privacy Notice aims to inform you about the data we hold, who we share it with, why we share it and for how long we retain it. We are also required by law to advise you of the lawful basis/bases under which we collect and process data, as defined by Data Protection law.

Pupil information that we collect, hold and share

- Personal information (such as name, unique pupil number and address)
- 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)
- Educational Information (such as assessment data, exam results, predicted, tracking and mock target grades, school reports)
- Special Educational Needs information
- Relevant medical information (such as medical conditions, allergies, disabilities, physical and mental development difficulties, GP contact details)
- Behavioural records including exclusions
- Information around safeguarding pupils including wellbeing (such as external support provided, i.e., counselling referrals, social care)

Why we collect and use this information

We use the pupil data:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care, ensuring the welfare and safeguarding of our pupils
- to comply with legal and health & safety obligations for all students educated on and off site
- To provide necessary support with medical needs
- To support SEND pupils as required
- To monitor, report on and support with behavioural issues including exclusions
- To assist with the work of other external organisations involved in the support of pupils
- To support pupils in decision making with post 16 provision
- To assess the quality of our services
- To comply with the law regarding data sharing

In addition, throughout the school year we also take photographs and videos of students which are used:

- For display around the school
- Within the school prospectus and on our school website
- Newsletters or other reports regarding events and activities (such as educational visits, sporting activities, school plays) or other purposes within school publications and the general media

Also, when a student transitions from primary school to secondary, the primary school has a legal obligation to transfer certain personal data to us, including the student's educational record and certain special categories of personal data (such as ethnic origin). It is often necessary or beneficial for us to collect this information earlier, usually in March, so that we can make the necessary preparations for the arrival of new students.

In respect of any information which we require, at this early stage, in order to fulfil our duties as a school and a public authority (including any information necessary to make any preparations for safeguarding purposes or to make reasonable adjustments for disabilities), our legal basis for collecting this information is that it is necessary for the performance of a public task. We may also collect additional personal data about the student, at this early stage, which is not strictly necessary for the performance of our duties as a public authority, but which makes the process of transitioning from primary to secondary school more efficient and reduces the administrative burden for both establishments and, in some case, the parents or guardians of the student. In this respect, our legal basis for collecting this information is that it is necessary for our legitimate interest in ensuring the smooth transition of students between the schools. You have the right to object to this early collection of information by contacting us on the school office number, if you do, we will only collect information from the school at this stage where we can demonstrate that we have compelling, legitimate grounds to do so.

Lawful Basis on which we use this information

We collect and use pupil information set out in the Education Act 1996; Regulation 5 of the Education Regulations 2013; section 83 of the Children Act 1989; and the following lawful bases as detailed within the GDPR:

- To support pupil learning
- To fulfil our duties as a public authority, which is defined as our 'public task'.
- To ensure that we provide pupils with the relevant level of support in order for them to progress and achieve during their educational journey through school, which is defined as our 'legitimate interest'.
- To respond to any emergency situations that may arise (such as providing medical support in the absence of parental contact being established), this is defined as their 'vital interest'.

To conform with GDPR, any information the school processes fulfil one of the following requirements from Article 6 of the GDPR:

- Article 6(1)(c): Where processing is necessary for compliance with a legal obligation to which the controller is subject.
- Article 6(1)(d): Where processing is necessary in order to protect the vital interests of the data subject or of another natural person.
- Article 6(1)(e): Where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Where we process special categories of personal data, we do so under obligations covered in Article 9 of the GDPR:

- Article 9(2)(a): the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject.
- Article 9(2)(c): that processing is necessary to protect the vital interests of your child or of another person where you or your child are physically or legally unable to give consent.
- Article 9(2)(f): processing is necessary for the establishment, exercise, or defence of legal claims or whenever courts are acting in their judicial capacity.
- Article 9(2)(g): where processing is necessary for reasons of substantial public interest, on the basis of 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.

For the taking and use of photographs and/or videos of pupils our lawful basis as defined within the GDPR is 'consent'.

Collecting pupil information

We collect pupil information through a variety of means, including (but not limited to), registration forms, local authority records and secure file transfers from other schools. 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 Information

Pupil information is stored both electronically on our management information system and within individual pupil hardcopy files.

We hold pupil educational data securely for the time the child remains at the school; should the child transfer school, the records are then transferred to the new school. The final school will retain the information until the pupil reaches the age of 25, after which time the records are destroyed securely. Some data is held for different periods of time and thereafter securely destroyed; further details of which are listed within our Records Retention Policy and is available on request.

Who we share pupil information with

- We routinely share pupil information with:
- Schools that the pupil's attend after leaving us
- Other educational establishments that pupils attend whilst on roll with us
- Our local authority
- The Department for Education (DfE)
- Ofsted
- Examination boards
- Providers of educational, data and communication software purchased by the school (such as , MathsWatch, Kerboodle, Seneca Learning, GROK Academy, Quizlet, Active Learn, Kahoot, Quizizz, Code.org, Khan Academy)
- NHS (such as vaccinations, school nursing service, CAMHS, paediatricians)
- Statutory services where there is a legal obligation to share information (such as police, social services)
- Other schools / academies / MATs (during pupil transfer)
- School management information system provider (such as RM Integris)
- Off-site learning providers where pupil information is required in order for the trip to go ahead, including EVOLVE
- Organisations used by the school to provide support services to students (such as mentoring, careers, voluntary sector support services)
- Residential trip providers (and insurers)
- Work experience providers
- School photographers
- Sixth form colleges and other post 16 providers

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.

Youth support services

Pupils aged 13+

Once our pupils 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 request that only their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / student once he/she reaches the age 16.

Pupils aged 16+

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

<https://www.rochdale.gov.uk/information-data-governance/privacy-notices>

For additional information go to the National Careers Service page at:

<https://nationalcareers.service.gov.uk/about-us>

For the most part, personal data collected by the school will remain within the school, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). Particularly strict rules of access apply in the context of:

- medical records held and accessed only by the school doctor and appropriate medical staff under her supervision, or otherwise in accordance with express consent.
- pastoral or safeguarding files.

Pupils with SEN relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires. Staff, pupils, and parents are reminded that the school is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education) to record or report incidents and concerns that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This is likely to include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the LADO or police. For further information about this, please view the school's Safeguarding Policy.

The National Pupil Database (NPD)

The school is required to share pupils' data with the DfE on a statutory basis. The National Pupil Database (NPD) is managed by the DfE and contains information about pupils in schools in England.

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, 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 DfE may share information about our pupils from the NPD with third parties who promote education or wellbeing of children in England by:

- Conducting research or analysis
- Producing statistics
- Providing information, advice, or guidance.

The DfE 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
- 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>

What are your rights?

Parents and students have the following rights in relation to the processing of their personal data.

You have the right to:

- Be informed about how the school uses your personal data.
- Request access to the personal data that the school holds.
- Request that your personal data is amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling reason for its continued processing.
- Request that the processing of your data is restricted.
- Object to your personal data being processed.
- Request information in a machine-readable format i.e., Excel, word, or a CSV file.
- Object to direct marketing and such objection will not affect any dealings you have with us.

Where the processing of your data is based on your consent, you may be able to withdraw such consent in limited circumstances. If you have a concern about the way the school and/or the DfE is collecting or using your personal data, you can raise a concern with the Information Commissioner's Office (ICO). The ICO can be contacted on **0303 123 1113**, Monday-Friday 9am-5pm or via this link <https://ico.org.uk/concerns>.

Parent and Student rights regarding personal data

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them. Parents/carers can make a request with respect to their child's data. Parents also have the right to make a **subject access request** with respect to any personal data the school holds about them.

If you make a subject access request, and if the school does hold information about you or your child, the school will:

- give you a description of it
- tell you why the school is holding and processing it, and how long it will be kept for
- explain where the school got the information from, if not from you
- 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
- prevent processing for the purpose of direct marketing
- give you a copy of the information in an intelligible form i.e., Excel, word, or a CSV file.

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances. If you would like to make a subject access request, please contact our DPO via the school office on 01706 710184 or via email at admin@riag.org.uk

Other rights regarding personal data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Object to the use of your personal data for 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

To exercise any of these rights, please contact the DPO via the school's admin office.