

Fair Processing Notice (Layer 2)

DATA PROTECTION ACT

This school complies with the Data Protection Act (1998) when processing information on pupils. To comply with the Data Protection Act (1998) this school must make sure its records are correct and may ask parents/guardians to cooperate in checking the accuracy of the information held.

The **school** holds information on pupils in order to:

- support their teaching and learning.
- monitor and report on their progress.
- provide appropriate pastoral care.
- assess how well the school is doing as a whole.

These records include contact details, National Curriculum assessment and examination results, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information. From time to time we are required to pass on some of this data to:

- the Local Authority (LA) (South Gloucestershire Council)
- another school at which the pupil is receiving tuition or to which is transferring
- the Qualifications and Curriculum Authority (QCA)
- Ofsted
- the Learning Skills Council (LSC)
- the Department for Children, Schools and Families (DCSF)
- Department of Health (DH) and Primary Care Trusts (PCTs)
- other agencies that are prescribed by law

The **Local Authority** is South Gloucestershire Council's Department for Children and Young People, which includes the Education Service, Children Social Services and the Youth Service. Pupil information may be matched with other data sources the Department accesses in order to monitor pupils' educational progress and to provide comprehensive information for services. The Department uses pupil records to carry out specific tasks such as the assessment of any special educational needs a pupil may have or the tracking of children at risk. It also uses the information to produce statistics to inform decisions on (for example) the funding of schools, and to assess the performance of schools and set targets for them.

In order to comply with the Children's Act (2004), the Department for Children and Young People may also share information with the South Gloucestershire Primary Care Trust and other organisations which have responsibility for children's welfare. LAs have a duty under the Children Act 2004 to cooperate with their partners in health and youth justice to improve the well-being of children in their areas. As part of this duty they will be required to maintain the accuracy of the information held on ContactPoint about children and young people in their area (see ContactPoint, Appendix 1).

The **Qualifications and Curriculum Authority** uses information about pupils to administer the National Curriculum tests and assessments, both those required by statute and those that are optional. The results of these are passed on to the DCSF to compile statistics on trends and patterns in levels of achievement. The QCA uses the information to evaluate the effectiveness of the National Curriculum and the associated assessment arrangements, and to ensure that these are continually improved.

Ofsted uses information about the progress and performance of pupils to help inspectors evaluate the work of schools, to assist schools in their self-evaluation, and as part of Ofsted's assessment of the effectiveness of education initiatives and policy. Inspection reports do not identify individual pupils.

The **Learning and Skills Council** uses information about pupils for statistical purposes, to evaluate and develop education policy and to monitor the performance of the education service as a whole. On occasion, information may be shared with other Government departments or agencies strictly for statistical or research purposes only. This information is used in such a way that individual pupils cannot be identified. The LSC also administers the Managing Information Across Partners (MIAP) Programme on behalf of the MIAP membership.

The **Department for Children, Schools and Families** (DCSF) uses information about pupils for research and statistical purposes, to inform, influence and improve education policy, and to monitor the performance of the education service as a whole. The DCSF will feed information about pupils back to LAs and schools for a variety of purposes such as data-checking exercises, self-evaluation analyses and, where necessary, passing on information from a child's previous school. The DCSF will also provide Ofsted with pupil level data for use in school inspections. Where relevant, pupil information may also be shared with other learning institutions to minimise the administrative burden on application for a course and to aid the preparation of learning plans.

The DCSF will also provide Ofsted with pupil data for use in school inspection. Where relevant, pupil information may also be shared with post-16 learning institutions to minimise the administrative burden on application for a course and to aid the preparation of learning plans.

Pupil information may be matched with other data sources the Department holds to monitor pupils' educational progress; and to provide comprehensive information back to LAs and learning institutions to support their day-to-day business. The DCSF may also use contact details from these sources to obtain samples for statistical surveys: these surveys may be carried out by research agencies working under contract to the Department and participation in such surveys is usually voluntary.

Pupil data may also be shared with other government departments and agencies (including the Office for National Statistics) for statistical or research purposes. In all these cases individual pupils' records are needed to identify the pupils to match them, but the data will not be processed in a way that supports measures or decisions relating to particular individuals, or identifies individuals in any results. This data sharing will be approved and controlled by the Department's Chief Statistician.

The DCSF may also disclose information about individual pupils to independent researchers who have a legitimate need for it for their research into the educational

achievements of pupils; but each case will be determined on its merits and subject to the approval of the Department's Chief Statistician.

The Fair Processing Notice has been prepared at a time of change with the restructuring of the Department for Education and Skills and the Department of Trade and Industry into three new Departments: the Department for Children, Schools and Families (DCSF), the Department for Innovation, Universities and Skills (DIUS) and the Department for Business, Enterprise and Regulator Reform (DBERR). It may be that, during the period covered by this FPN, steps will be taken to enable the DCSF to match individual pupil information with higher and further education attainment data held by the DIUS.

Your Rights

Pupils have certain rights under the Data Protection Act, including a general right of access to personal information held on them. Parents can exercise this right on their behalf if pupils are too young to do so themselves. If your child wishes to see their records, or you wish to do so on their behalf, then please write to:

The Head teacher	Sir Bernard Lovell School, North Street, Oldland Common South Gloucestershire BS30 8TS
The Data Protection Contact at South Gloucestershire LEA	Department for Children and Young People, Bowling Hill, Chipping Sodbury, South Gloucestershire BS37 6JX
The Caldicott Guardian for Children Social Services	Department for Children and Young People, Bowling Hill, Chipping Sodbury, South Gloucestershire BS37 6JX
The Primary Care Trust's Caldicott Guardian	South Gloucestershire Primary Care Trust, 1 Monarch Court, Emerald Park, Emersons Green, South Gloucestershire, BS16 7FH http://www.nhs.uk/England/AuthoritiesTrusts/Pct
The QCA's Data Protection Officer	QCA, 83 Piccadilly, London, W1J 8QA www.qca.org.uk
Ofsted's Data Protection Officer	Alexandra House, 33 Kingsway, London WC2B 6SE www.ofsted.gov.uk
The LSC's Data Protection Officer	Cheylesmore House, Quinton Road, Coventry, Warwickshire CV1 2WT www.lsc.gov.uk
The DCSF's Data Protection Officer	DCSF, Caxton House, Tothill Street, London, SW1H 9NA
The DH's Data Protection Officer	Skipton House, 80 London Road, London, SE1 6LH; www.dh.gov.uk

In order to fulfil their responsibilities under the Data Protection Act, the above organisations may, before responding to this request, seek proof of the requestor's identity and any further information needed to find the information requested.

Separately from the Data Protection Act, regulations entitle a pupil's parent (regardless of the age of the pupil) to view, or to have a copy of, their child's educational record at this school. If you wish to exercise this right you should write to the Headteacher at the contact above.

Please note that all rights under the Data Protection Act to do with information about your child rest with them as soon as they are old enough to understand these rights. This will vary from one child to another and you will wish to consider the position for your child, but, as a broad guide, it is acknowledged that most children will have sufficient understanding by the age of 12. We would therefore encourage you to discuss this notice with your child if they are aged 12 or over.

Secondary Age Children Only

Providing information to Connexions services providers and the right to opt out

Connexions is the government's support service for all young people aged 13 to 19 in England. It also provides support up to the age of 25 for young people who have learning difficulties or disabilities (or both).

Connexions brings together all the services and support young people need during their teenage years offering differentiated and integrated support to young people through Personal Advisers (PAs). For some young people this may be just for careers advice, for others it may involve more in-depth support to help identify barriers to learning and help to provide more specialist support, eg drug abuse, sexual health and homelessness. PAs work in a range of settings including schools, colleges, one-stop shops, community centres and on an out-reach basis.

For pupils of 13 years and over, the school is legally required to pass on certain information to Connexions services providers on request. This information includes the name and address of the pupil and parent, and any further information relevant to the Connexions services' role. However parents, or the pupils themselves if aged 16 or over, can ask that no information beyond name and address (for pupil and parent) be passed on to Connexions. If as a parent, or as a pupil aged 16 or over, you do not want Connexions to receive information beyond name and address, then please contact the school in writing within **28 days** of receiving the **Layer 1 Fair Processing Notice**. Unless you notify the school that you wish to opt out within the 28 day period, information will be passed to Connexions providers upon request.

The LA and DCSF may supply to Connexions services providers information which they have about children, but will not pass on any information they have received from the school if parents (or the children themselves if aged 16 or over) have notified the school that Connexions should not receive information beyond name and address.

Learner Registration Scheme The Learning and Skills Council (LSC) also administers the Managing Information Across Partners (MIAP) Programme on behalf of the MIAP membership. The LSC is responsible for the development and operation of the Learner Registration System (LRS) and also the creation of a learner record.

For pupils of 14 years and over and for pupils registering for post-14 qualifications, the school will pass on certain identification information to the LRS to create and maintain a unique learner number (ULN), and achievement information to the MIAP Service to create and maintain a learner record.

The Learner Registration Service will enable organisations allowed by law and detailed at www.miap.gov.uk to access the ULN and contain it in their systems, thereby saving individuals having to supply the same information repeatedly to different organisations.

Details of how an individual may opt-out of sharing achievement data in their learner record with these organisations can also be found at www.miap.gov.uk.

Appendix 1 The Children Act 2004 – ContactPoint

The Children Act 2004 provides for the Secretary of State to issue Regulations requiring the “governing body of a maintained school in England” to disclose information for inclusion on Contact Point. The purposes of ContactPoint are to:

- help practitioners working with children quickly identify a child with whom they have contact;
- determine whether that child is getting the universal services (education, primary health care) to which he or she is entitled; and
- enable earlier identification of needs and earlier, more effective action to address these needs by providing a tool to help practitioners identify which other practitioners are involved with a particular child; and
- encourage better communication and closer working between practitioners.

ContactPoint will hold for each child or young person in England:

- basic identifying information: name, address, gender, date of birth and a unique identifying number based on the existing Unique Identifying Number/National Insurance Number;
- basic identifying information about the child’s parent or carer;
- contact details for services involved with the child: as a minimum school and GP Practice but also other services where appropriate; and
- the facility for practitioners to indicate to others that have undertaken a common assessment in relation to a child.

ContactPoint will NOT record statements of a child’s needs, academic performance, attendance or clinical observations about a child.

All practitioners and system support staff, who will be responsible for maintaining the data, will have relevant training and have undergone rigorous checks and appropriate security clearance procedures. To ensure high standards of accuracy, information on Contact Point will be drawn from a number of sources including the termly School Census from which pupils’ home address will be collected.