



## **GENERAL DATA PROTECTION REGULATION MAY 2018**

### **PRIVACY NOTICE FOR FERNDEARLE SCHOOL**

This notice is provided and designed in line with the General Date Protection Regulation (May 2018) Articles 12, 13 and 14. The Notice fulfils the duties under the GDPR of:

**Your right to be informed** of what personal data is held; how the data is used; the lawful basis for processing the data, the retention period and your rights under the GDPR.

#### **Identity and Contact Details of the Controller**

The Controller of your personal information is:

Ferndearle Child Care Services

#### **Contact Details:**

Heather Lodge Site  
2 Radnor Park West  
Folkestone  
Kent  
CT19 5HH Tel: 01303 850182

#### **Identity and Contact Details of the Data Protection Officer**

Krista Harbour

Heather Lodge – Tel: 01303 850182 – email: [Krista@ferndearle.co.uk](mailto:Krista@ferndearle.co.uk)

#### **The lawful basis on which we process this information**

We process this information under:

- **Article 6(1)(c) Article 6(1)(e) of the General Data Protection Regulation (GDPR)**  
**Article 9(2)(b) and 9(2)(h) of GDPR**

**Main Legislative Directives for Ferdearle are issued under the following**

[Ferdearle School](#)  
[Privacy Notice](#)

**legislation:**

- **Legal requirement of the Education Act 1996 annual submission of school census**
- **Legal requirement of Child Care/education legislation issued by the Department for Education specifically including: Childrens Homes Regulations 2015; Keeping Children Safe in Education 2016**
- **1989 Children Act**

We use the pupil 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 support you to decide what to do after you leave school

**Categories of pupil information that we collect, hold and share include:**

- Personal information (such as name, unique pupil number and contact details)
- Characteristics (such as ethnicity, language, nationality, country of birth)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- National curriculum assessment results
- Special educational needs information (contained in EHCP)
- Medical Information (contained in EHCP)
- Behavioural information including PSP's, MEP's
- Reports from professionals to support your needs such as Speech and Language, Occupation and Educational Psychology assessments and progress reports.

**Collecting pupil information**

The personal information that Ferndearle School asks for is generally to comply with legislative requirements and is therefore mandatory. In order to comply with data protection legislation, if we request information from you that is not mandatory, you will be informed that it is voluntary and that you have a choice at the time of the request.

**Storing pupil information**

Ferndearle School keeps information about you on computer systems and also on paper.

For pupils who remain with us until school leaving age, we hold your education records securely and retain them from your date of birth until you reach the age of 25, after which they are safely destroyed.

For pupils who leave Ferndearle School prior to school leaving age, we hold your education records securely until you change school. Your records will then be transferred to your new school, where they will be retained until you reach the age of 25, after which they are safely destroyed.

There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it is the only way we can make sure you stay safe and healthy or we are legally required to do so.

### **Who do we share pupil information with?**

We routinely share pupil information with:

- schools or colleges that the pupils attend after leaving us
- our local authority (Kent County Council) and their commissioned providers of local authority services
- the Department for Education (DfE)
- Safeguarding Departments
- Local Authorities outside of Kent for pupils who come from outside

### **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.

In order to meet statutory requirements around appropriate education provision, and to fulfil safeguarding requirements, we share information about school history, and the latest known pupil and parent address and contact details in the event of a Child Missing Education, or becoming Electively Home Educated.

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

To find out more about the data collection requirements placed on us by the DfE (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

### **Youth support services**

#### **What is different about pupils aged 13+?**

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.

We must provide both your and your parent's/s' name(s) and address, and any further information relevant to the support services' role; this will include telephone contact details.

This enables the local authority to provide services as follows:

- youth support services
- careers advice and guidance

A parent / 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 / pupil once he/she reaches the age 16.

### **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.

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 and early years' 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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department 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: and
- 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>

### **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 for your personal information, or be given access to your child's educational record, contact:

The Data Protection Officer, Krista Harbour using the contact details above

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
- claim compensation for damages caused by a breach of the Data Protection regulations

As with requests concerning access to data, for any of the above rights you should contact the Data Protection Officer.

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 by contacting the Data Protection Officer (using the details above) or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

If you would like to discuss anything in this privacy notice, please contact:

Data Protection Officer, Krista Harbour on 01303 850182 or by email:

[Krista@ferndearle.co.uk](mailto:Krista@ferndearle.co.uk)

Alternatively you may write to the Heather Lodge Site Address:

Ferndearle School, Heather Lodge, 2 Radnor Park West, Folkestone, Kent. CT19 5HH.