



[Windrush Valley School](#)

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Policy Documents Annual Review Record

Citation	<p>This document shall be cited as: Data Protection Policy</p> <p><u>Associated policies:</u></p>
Regulatory standard	Part 1: Quality of Education Provided
Person responsible	Headteacher
Comments to	Headteacher
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Reason for review/update	Regular review cycle
Person reviewing/updating	Alan Wood
Source/author	Alan Wood
Implementation	Immediate and on-going

DATA PROTECTION POLICY

Background

Windrush Valley School, in common with other independent schools, gathers and retains information on pupils in electronic data form. In so doing Windrush Valley School must conform to the requirements of the Data Protection Act 1998. This means that the data held about pupils must only be used for specific purposes allowed by law. This policy explains the types of data held, why that data is held, and to whom it may be passed on to under the law.

The school is registered with the Information Commissioner's Office (licence number ZA351681 expiry 26 April 2019).

Information

The school holds information on pupils to support their teaching and learning, to monitor and report on their progress, to provide appropriate pastoral care, and to assess how well the school as a whole is doing. This information includes:

- Personal details (date of birth, former schools, parent names and addresses)
- contact details (telephone numbers, email, address)
- curriculum and progress assessment results
- attendance information
- personal characteristics such as ethnic group and special educational needs
- relevant medical information

This information is held securely in the school's management information system (MIS) to enable the school fulfil its statutory and daily tasks quickly and efficiently. This requires the highest level of protection as it contains personal sensitive data under the terms of the Data Protection Act 1998. Accordingly it is only accessible to individuals or groups internal to the school.

- A *Parental Consent Form* must accompany the information provided by a parent
- School staff only may access the MIS, granted on a "need-to-know" basis, with the highest level (administrator) granted to the Proprietor and the Headteacher.
- Personal information is not shared with others without prior consent
- Access is by passwords that change regularly

The Headteacher and the school secretary are the nominated Information Asset Owner(s) (IAO) responsible for the information held on the system and its amendments from time-to-time.

The Headteacher only may issue instructions how and when this data may be shared with others; for example, in the form of reports to secondary schools, or statutory statistical returns to Government departments.

In order to fulfil our responsibilities under the Act, before responding to a request for information, we will ascertain the requestor's probity and identity and any further information required, before releasing the information.

Separately from the Data Protection Act 1988, The Education Act provides a pupil's parent, regardless of the age of the pupil with the right to view, or to have a copy of, their child's educational record at the school. Parents who wish to exercise this right should contact the school office where they will be able to view original (not copies of) records.

Children, as soon as they are old enough to understand, also have rights under the Act. As a broad guide, it is assumed that most children will have a sufficient understanding by the age of 12. We do not therefore anticipate many such requests from children in Windrush Valley School but where they do occur they will be dealt with promptly and sensitively. Parents have the right to request sight of this information on behalf of their child if he/she is too young to do so themselves. If you wish to do so on their behalf, then please contact one of the following:

- Headteacher –Windrush Valley School
- The LA Data Protection Officer at Oxfordshire County Hall
- The QCA Data Protection Officer at QCA, 40 Scotch Quarter, Carrickfergus, BT38 7DP
- The DfE Data Protection Officer at www.gov.uk/government/organisations/department-for-education
- Ofsted Data Protection Officer at Piccadilly Gate, Store Street, Manchester, M1 2WD
- EFA Data Protection Officer at 53-55 Butts Road, Coventry, CV1 3BH.

Pupils, as data subjects, have certain rights under the Data Protection Act, including a general right of access to personal data held on them.

Sharing Data

From time to time we are legally required to pass on some of this data to others. This includes the Local Authority (LA), another school to which the pupil is transferring, the Department for Education (DfE), the Office for standards in Education (OfSTED), the Independent Schools Inspectorate (ISI) and to the Qualifications and Curriculum Authority (QCA), which is responsible for the National Curriculum and its associated assessment arrangements. Although we are not legally required to, we also pass anonymised information to the independent Schools Council (ISC) and the Independent Schools Association (ISA) in the form of census data.

The Local Authority, Oxfordshire County Council, uses information about pupils to carry out specific functions for which it is responsible. For example, participating in the assessing of any special educational needs a pupil may have and any subsequent services it determines to provide. It also uses the information to gather statistics to make essential decisions on, for example, funding pupils in EYFS. For most of the time it uses the data in such a way that individual pupils cannot be identified.

OfSTED and ISI use 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 their assessment of the effectiveness of education initiatives and policy. Inspection reports do not identify individual pupils.

The DfE 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 DfE will feed back to LAs and schools information about their pupils for a variety of purposes that will include data checking exercises, use in self-evaluation analyses and where information is missing because it was not passed on by a former school. The DfE will also provide OfSTED and ISI with pupil level data for use in school inspection. Where relevant, pupil information may also be shared with further education 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 that DfE holds in order to model and monitor pupils' educational progression and to provide detailed information back to LAs and learning institutions to support their day to day business. DfE 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 DfE and participation in such surveys is usually voluntary. The DfE may also match data from these sources to data obtained from statistical surveys.

Pupil data may also be shared with other Government Departments and Agencies including the Office for National Statistics, for statistical or research purposes only. In all these cases the matching will require that individualised data is used in the processing operation in anonymised form. This data sharing will be approved and controlled by the Department's Chief Statistician.

The DfE may also disclose individual pupil information to independent researchers into the educational achievements of pupils who have a legitimate need for it for their research, but each case will be determined on its merits and subject to the approval of the Department's Chief Statistician.

How the data might be used

The Department for Education (DfE) is the Data Controller for the purposes of the Data Protection Act. DfE 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.

Pupil information may be matched with other data sources that DfE holds in order to model and monitor their educational progression and to provide comprehensive information back to LAs and learning institutions to support their day to day business. DfE may also use contact details from these sources to obtain samples for statistical surveys which may be carried out by research agencies working under contract to DfE. Participation in such surveys is usually voluntary. DfE may also match data from these sources to data obtained from statistical surveys.

Pupil data may also be shared with other Government Departments and Agencies including Office for National Statistics, RAISEonLine, will use the data for statistical or research purposes only. In all these cases the matching will require that individualised data is used in the processing operation, but that data will not be processed in such a way that it supports measures or decisions relating to particular individual pupils or identifies individuals in any

results. This data sharing will be approved and controlled by DfE's Chief Statistician.

DfE may also disclose individual pupil information to independent researchers into the educational achievements of pupils who have a legitimate need for it for their research, but each case will be determined on its merits and subject to the approval of DfE's Chief Statistician. DfE's powers to pass data to researchers are derived from The Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations. These Regulations restrict the researchers who may receive data to 'persons conducting research into the educational achievements of pupils and who require individual pupil information for that purpose'.

The school is a Data Controller for the purposes of the Data Protection Act and pupils, as data subjects, have certain rights under the Data Protection Act, including a general right of access to personal data held on them, with parents exercising this right on their behalf if they are too young (under 12) to do so themselves. If you wish to access the personal data which DfE hold about your child, then please contact them direct.

Third Party Use

As the law allows, pupil data can be sent to the following third party organisations. A brief description of the purposes the information is used for is set out below, along with links to the organisations as detailed below:

Department of Health (DfH) uses anonymised information about pupils' height and weight collected in primary and middle schools as part of the National Child Measurement Programme to inform, influence and improve health policy. The Department of Health also provides aggregate PCT-level data to the Care Quality Commission for performance assessment of the health service. www.dh.gov.uk

Primary Care Trusts (PCT) use information about pupils for research and statistical purposes, to monitor the performance of local health services and to evaluate and develop them. The statistics are used in such a way that individual pupils cannot be identified from them. Information on the height and weight of individual pupils may however be provided to the child and its parents/carers and this will require the PCTs to maintain details of pupils' names for this purpose for a period designated by Department of Health following the weighing and measuring process. PCTs may also provide individual schools and LAs with aggregate information on pupils' height and weight.

<http://www.nhs.uk/England/AuthoritiesTrusts/Pct/Default.aspx> or www.berkshire.nhs.uk

Office for Standards in Education (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 their assessment of the effectiveness of education initiatives and policy. OfSTED also uses information about the views of children and young people to inform children's services inspections in local authority (LA) areas. Inspection reports do not identify individual pupils. The Department for Education also provides 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. www.ofsted.gov.uk

Approved organisations (including other schools) will be allowed to access the limited set of personal data. More information on the PLR, ULN, learner plan and qualification credit framework is available on the Learning Records Service website. This sharing of data reduces the need for learners to have to supply the same information repeatedly to different organisations, and significantly reduces the risk of inaccurate information being held about them. Details of how an individual may opt out of sharing achievement data in their PLR with these organisations are also available from the Learning Records Service.

The Qualifications and Curriculum Development Authority (QCDA) uses information about pupils to administer the national curriculum assessments portfolio throughout Key Stages 1 to 3. This includes both assessments required by statute and those that are optional. The results of these are passed on to the Department for Education to compile statistics on trends and patterns in levels of achievement. The QCDA uses the information to evaluate the effectiveness of the national curriculum and the associated assessment arrangements, and to ensure that these are continually improved. www.qca.org.uk and/or www.jcq.org.uk

The Young Peoples Learning Agency (YPLA) uses information about pupils for statistical purposes, to evaluate and develop education policy and monitor the performance of the education service as a whole. The statistics (including those based on information provided by the QCDA) are used in such a way that individual pupils cannot be identified from them. On occasion information may be shared with other Government departments or agencies strictly for statistical or research purposes only.
www.ypla.gov.uk

Alan Wood
September 2018