Privacy Notice – (How we use pupil information)

To run the school and help learning and achievement, **The Merit Pupil Referral Unit** collects and uses information about pupils. In this document **The Merit Pupil Referral Unit** is referred to as 'We' or 'Ours'. Pupils are referred to as 'You' or 'Your'

Much of the information we collect is classed as 'personal data' and our use of it is the General Data Protection Regulation (GDPR).

This document tells you more about:

- The information we collect
- What we use the information for
- How your information is stored and how long we keep it
- What rights you have to the information

What Information do we collect and use about pupils?

We collect many different categories of information, for example:

- Personal details
- Contact details
- Family details
- Admission records
- Attendance records
- Absence details
- Behaviour records
- Behaviour management records
- Academic progress
- Examinations details
- Trips and visits
- Extra-curricular activities
- Photographs of you
- Images from CCTV
- Files, messages, documents and artwork you have produced
- Records of discussions with members of staff
- Records of your use of school IT systems

In some cases, we will also have:

- Information about consultation with other professionals
- Information about supporting for your learning
- Records of any school equipment loaned to you
- Information about plans for career or post 16 education choices

Some of the personal data we keep is given greater protection and is known as special category personal data.

Special category data that we may collect and use about you can include

- Information about health conditions
- Information about sickness related absences
- Information about your ethnic origin
- Information about your religion
- Information about your race

[If you use any form of biometric based systems (for example; fingerprint scanning for school meals)]

- Biometric data used to identify you

Why we collect and use this information

We use the information

- To support the admissions process
- To support your learning
- To monitor and report on your academic progress
- To enable you to take part in exams
- To provide appropriate pastoral care
- To help us manage any health conditions that may affect your learning
- To comply with our legal obligations to share information
- To check the quality of our services

The legal basis for using this information

Depending on the purpose, our use of your information will be legal due to one of the following:

- Informed consent given by you or your parent or legal guardian [Article 6(1)(a)]
  For example: The use of your photographs on our website

- To meet a legal requirement [Article 6(1)(c)]
  For example: Providing information for the Education Department Census

- To protect the vital interests of you or someone else [Article 6(1)(d)
  For example: Giving your family details to emergency services

- Delivering a public task [Article 6(1)(e)]
  For example: Recording your attendance at school each day

Where we use special category data, our use is legal due to one of the following reasons:

- Explicit informed consent given by you or your parent or legal guardian [Article 9(2)(a)}
  For example: Using your fingerprints to identify you to our IT systems
- We are legally obliged to collect and use it [Article 9(2)(b)]
  For example: Information about your ethnic origin or any disability

- To protect the vital interest of you or someone else [Article 9(2)(c)]
  For example: Giving detail of health conditions to the emergency services
- Because it is part of delivering a public service [Article 9(2)(g)]
  For example: Holding data on any medical condition so that we can help you manage it

Storing your personal data

Most of the personal data that we collect, and use is added to your Educational Record. This record is kept while you attend **The Merit Pupil Referral Unit**:

If you move to another school, we will transfer a copy of your records to the new school.

We retain a full copy of your record until your 25th birthday. After this we will dispose of all the records securely.

If your record contains information about SEND requirements, then your file will be retained until your 35th birthday.

Some personal data is kept for different lengths of time. For example;

- Records of your admission to the school are kept permanently. We do this as pupils often ask us to confirm the dates, they attended **The Merit Pupil Referral Unit**.
- Detailed information about your daily attendance is kept for three years
- Information about free school meals is kept for the current year and 6 years afterwards

If you'd like to know how long we keep a specific piece of personal data, please contact **the data protection administrator** whose details can be found at the end of this Privacy Notice.

Sharing your personal data

At times we will share your personal data with other organisations and people. We will only do this when we are legally required to do so, when our policies allow us to do so or when you have given your consent.

Examples of people we share personal data with are:

- Family, associates and representatives of the person whose personal data we are processing who are authorised to receive the data
- Your local authority
- The Department for Education
- The National Pupil Database
- Examining bodies
- Healthcare, social and welfare organisations
- Police forces and Courts
- Voluntary and charitable organisations
- Our suppliers and service providers
- Press and the media

- Youth Support Services (Over 13 years)
- Careers service
- Academy trusts

Where we share your personal data with someone who is a "supplier" or service provider we have taken steps to ensure that they treat your personal data in a way that meets the requirements of the GDPR.

Your rights to your personal data

You have rights relating to the personal data that we collect and use. The rights you have depend on the legal basis of us using the information. If we are using your personal data based on your consent, you can withdraw that consent and we will stop using that personal data. Withdrawing your consent will need to be recorded in writing, please contact **the data protection administrator.**

The right to be informed:

If you ask us, we must tell you if we are collecting or using your personal data.

If we are collecting or using your personal data, you have:

The right of access to your personal data

You have the right to view the personal data that we hold about you, to receive a copy of the data and to be given more information about the data including any transfer to countries who do not fall under the requirements of the GDPR.

Some information we hold cannot be accessed in this way. If you ask for information that is not available, there may be other ways of accessing it and we can help you.

To have access and to amend your personal data we will need to collect details of what you want and in the first instance you need to contact **the data protection administrator**.

Other rights

You also have rights to ask us to correct inaccurate personal data, to ask us to stop using it or to object to us using it. For some data you may have to write to ask us to erase it, or to provide it in an electronic format so that you can give to someone else. For some personal data, if we are utilising an automated process to get a decision, then you have the right to object to this and request that a person is involved.

Parents or Guardian's rights to access your personal data

For pupils in Year 7 we will usually ask your parents or guardian to confirm that you can access the personal data. We will also provide your personal data to your parents or guardian if they request it.

Once you reach Year 8 we will usually consider that you can make decisions about your personal data. This means that in most cases you can request access to your personal data and we will not ask your parents for their permission. It also means that we will not normally release your personal data to your parents or guardian without your permission.

There may be occasions where we need to provide personal data to your parents or guardian without your consent. These are likely to occur if there is a concern about your safety. We may also release personal data if your behaviour creates concern for the safety or progress of others.

We will still need to ask permission from your parents or guardian for you to take part in some school and extra-curricular activities. The requirement for this permission overrides the protection of your personal data.

We are required to provide your parents or guardian with an annual report of your progress at school. We will offer the opportunity for your parents or guardian to come into school to discuss this report with your teachers and other members of staff.

At the start of each school year we will ask you if you are willing for these reports to be sent more often, but you do not have to give this permission.

[For Maintained Schools]

Parents and guardians have the right to ask the school for what is called your Educational Record. This contains information about things like your attendance, achievement, behaviour and results of tests and exams. This right is not part of the GDPR, and we must respond to it within 15 days

Who to contact?

The school has the responsibility to ensure that your personal data is protected. They are called the **data controller.** All members of staff work for the data controller.

We recommend that you contact **the data protection administrator**:

Name of Person: **Julie Matthews**
Email address: **jmatthews1@meritpru-stoke.org.uk**
Contact number: **01782 928 980**
Contact address: **Willeton Street, Bucknall, Stoke-on-Trent, Staffordshire, ST2 9JA**

Schools are also required to have someone called a Data Protection Officer or DPO. The DPO advises the school about issues to do with data protection, but can also help you, if you have a problem.

Our Data Protection Officer is

Name of DPO: **GDPR Sentry Limited**
Email address: **support@gdprsentry.com**
Contact number – **0113 804 2035**
Contact address – **4 Highcliffe Court, Greenfold Lane, Wetherby, West Yorkshire, LS22 6RG**

If you have any questions about this privacy notice, please contact the data protection administrator or the Data Protection Officer.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at https://ico.org.uk/concerns/ or call 0303 123 1113.