



Name

Privacy Notice

How we use children in need
and children looked after
information

May 2018



Phoenix School Privacy Notice

How we use children in need and children looked after information

The categories of personal information that we process include:

- personal information (such as name, date of birth and address)
- characteristics (such as gender, ethnicity and disability)
- episodes of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection information and Child Protection Plan information)
- episodes of being looked after (such as important dates, information on placements)
- outcomes for looked after children (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending)
- adoptions (such as dates of key court orders and decisions)
- care leavers (such as their activity and what type of accommodation they have)
- Relevant medical and administration information (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Special Education Needs Information (including the needs and ranking)

This list is not exhaustive, to access the current list of categories of information we process please see www.phoenixschool.co.uk

Why we collect and use this information

We use this personal data to:

- a) support these children and monitor their progress
- b) provide them with pastoral care
- c) assess the quality of our services



- d) evaluate and improve our policies on children's social care
- e) to keep children safe
- f) to meet the statutory duties placed upon us (for DfE data collections)

Under the General Data Protection Regulation (GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

- We collect and use pupil information under a task performed in the public interest where it relates to a child's educational progression;
- Some photographs and videos are used only after gaining explicit consent;
- Where medical data is being processed, this is processed under a legal obligation (Children and Families Act 2014 which includes a duty on schools to support children with medical conditions);
- Safeguarding data is processed under the legal obligation of The Education Act 2002. Sections 21 and 175 detail how governing bodies of schools must promote the wellbeing of pupils and take a view to the safeguarding of children at the school.
- Children and Families Act 2014 includes a duty on schools to support children with medical conditions;
- The Equality Act 2010 (England, Scotland and Wales) requires you to make reasonable adjustments to ensure that children and young people with a disability are not put at a substantial disadvantage compared with their peers;
- Section 3 of the Children Act 1989 places a duty on a person with the care of a child to do all that is reasonable in the circumstances for the purposes of safeguarding the child;
- Education Act 1996, relating to attendance at school.

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

In addition, concerning any special category data: Special Education Needs (SEN)

- conditions – where it is in the VITAL INTERESTS of the data subject [GDPR - Article 9 \(section 46\)](#)

Collecting this information

We collect personal information via registration forms at the start of the school year, Common Transfer File (CTF) and secure file transfers from previous school

Children in need and children looked after information is essential for the local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.



Storing personal data

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit www.phoenixschool.co.uk

Phoenix School keep information about you on our computer systems and some cases paper records. We hold education records securely until you leave school. Your records will then be transferred to your new school via secure file transfer or will be retained until you reach age 25, after which they are securely destroyed. There are strict controls on who can see your information.

Who we share this information with

We routinely share this information with:

- the Department for Education (DfE)
- schools that the pupils attend after leaving us
- our local authority
- youth support services and social care services
- the school nurse and NHS

Why we share this information

We do not share information about our children in need or children looked after with anyone without consent unless the law and our policies allow us to do so.

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.

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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



The Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children in need and children looked after with the Department for Education (DfE) for the purpose of those data collections, under:

- Section 83 of 1989 Children's Act, Section 7 of the Young People's Act 2008 and also under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

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 our Data Protection Officer: Data Protection Education Limited.

Telephone: 0800 0862018

Email: dpo@dataprotection.education

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
- a right to seek redress, either through the ICO, or through the courts

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>



Contact:

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

Data Protection Officer: Data Protection Education Limited.

Telephone: 0800 0862018

Email: dpo@dataprotection.education

If you would like a copy of any documentation, please contact the school office:

Phoenix School, Clayton, Orton Goldhay, Peterborough, PE2 5SD



How Government uses your data

The data that we lawfully share with the DfE through data collections helps to:

- develop national policies
- manage local authority performance
- administer and allocate funding
- identify and encourage good practice

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education go to:

Children in need: <https://www.gov.uk/guidance/children-in-need-census>

Children looked after: <https://www.gov.uk/guidance/children-looked-after-return>

The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

Sharing by the Department

The law allows the department to share pupils' personal data with certain third parties, including:

- schools
- local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime



For more information about the department's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

To contact DfE: <https://www.gov.uk/contact-dfe>

Written by:

Date:

Approved by:

Next review due by: