The Loyne Specialist School and Grizedale Centre

Learner Privacy Policy

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How we use learner information

This policy is to help you understand how and why we collect your personal information and what we do with that information. It also explains the decisions that you can make about your own information.

The Loyne Specialist School and Grizedale Centre is the data controller and data processor of learners personal information which we hold. This means that the establishment determines the purposes for which, and the manner in which, any personal data relating to learners and their families is to be processed.

The School Business Manager, Anna Bradley, is the Data Protection Officer (DPO). The DPO role is to oversee and monitor the school's data protection procedures, with the support of the Senior Leadership Team, and to ensure school practices regarding data are compliant with the General Data Protection Regulations (GDPR). The DPO can be contacted on 01524 64543 or email info@loyne.lancs.sch.uk

The categories of learner information that we collect, hold and share include (list not exhaustive):

- **Personal information** - such as name, date of birth, parental/legal guardianship information, unique pupil number and address, emergency contact information (list not exhaustive)
- **Characteristics** - such as ethnicity, language, nationality, country of birth and free school meal eligibility (list not exhaustive)
- **Attendance information** - such as sessions attended, number of absences and absence reasons
- Assessment information
- Educational Health Care Plans (EHCP)
- Positive Behaviour Support Plans (PBS)
- Personalised Learning Plans (PEPS)
- Support Plan (Grizedale)
- Details of medical conditions and associated plans. This also includes medical information given to us by parents/carers and third parties such as the NHS, GPs and medical professionals which includes our physiotherapists and school nurse
- Therapy Plans and Speech and Language Programmes where applicable
- Special Educational Needs and Disability information
- Behaviour and exclusions

Why We Collect and Use This Information

We use learner data to ensure we provide the right educational provision within school and the wider curriculum:

- To support teaching and learning
- To support young adults in the Grizedale Centre
- To meet legal requirement and legitimate interests
- To monitor and report on learner progress, attainment and accreditation

- To provide appropriate pastoral care
- To provide an adequate level of support to access the holistic curriculum
- To provide medical support
- To share with authorised personnel such as social workers
- To assess the quality of our services
- To comply with the law regarding data sharing
- For safeguarding and identification purposes
- To provide learners with a voice
- To tailor individual needs of learners such as medical, behaviour and care plans

The Lawful Basis On Which We Use This Information

On 25th May 2018 the Data Protection Act 1998 was replaced by the General Data Protection Regulations (GDPR). The conditions for processing under the GDPR are as stated below.

Article 6
Processing shall be lawful only if and to the extent that at least one of the following applies:

- We have **consent**
- Processing is necessary for compliance with a **legal obligation** to which the controller is subject
- Processing is necessary for the performance of a **contract**
- Processing is in our **vital interests**, e.g. to protect someone's life.
- It is necessary for us to perform a **public task** or official functions which have a clear basis in law.
- Processing is necessary for our **legitimate interests.**

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

The Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

Collecting Learner Information

Whilst the majority of information provided to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain information about your child to us or if you have a choice in this.

Storing Data

Data is retained in line with the Information Resources Management Service (IRMS) Retention Schedule. A printed version is available on request from the School Business Manager.

In accordance with GDPR, the school does not store personal data indefinitely. Data is only stored for as long as is necessary to complete the task for which it was originally collected or in line with statutory retention schedules.

Data storage on systems used by The Loyne Specialist School is detailed below. List not exhaustive:

Pupil and Young Adults Information & Assessment Systems	Retention Period
Capita SIMs	Capita is the Data Processor. There is the option to archive or permanently remove date. Staff – delete after 6 years from leaving date. Pupils – delete at age 25 Post 19 – delete at age 31
On our secure school network drive	Stored for 25 years from date of birth then securely deleted. For young adults accessing Grizdale records will be kept until the adult reaches age 31 in line with the IMRS Data Retention Policy.
On examination databases	Names of learners are submitted to examination boards for examination and assessment purposes only
B Squared Assessment	Stored for 25 years from date of birth of then securely deleted Retained for 30 days from end of contract by B Squared.
Lexia – Recording and Spelling Software	Stored for 25 years from date of birth then securely deleted
CPOMS – Safeguarding Suite	CPOMS System Limited takes the stance of the Data processor for the Loyne School. As a result of this any information logged on the CPOMS system will not be removed but instead will remain on the system until CPOMS receive a request in writing from the Headteacher of the school to remove this from the system. CPOMS are currently developing an inbuilt deletion process specifically for compliance with GDPR legislation. Records will be held for 25 years from date of birth.
Class Dojo	Until learner leaves
Text messaging service	Until learner leaves
Evolve – Residential information system	Until learner leaves
Tucasi – School meals, club and trip data	Tucasi is the Data Processor. The Tucasi system does not currently allow for data to be permanently deleted. Data is held securely.
CCTV	Images are retained for 30 days
Inventry	Data stored until young person leaves

Who we Share Learner Information With

We routinely share learner information with (list not exhaustive).

- Educational Establishments that the learner attends before and after leaving us
- Our local authority and other local authorities as required
- Social Care
- Examination Boards
- The Department for Education (DfE)
- NHS/school nurse
- Therapists and medical professionals
- Lancashire Child, Adolescent Mental Health Service (CAMHS)
- Lancashire Care NHS Trust
- B Squared Assessment
- Examination boards and assessors
- Third party providers, e.g. music therapist, Morecambe Sports Club, residential settings
- Colleges and work places for the purpose of work experience
- Colleges at which the learner attends a course
- Appropriate persons on training courses that may be held in school or offsite. Learner data will only be shared for training purposes where the parent/legal guardian has given unambiguous consent
- Facebook
- Professionals involved with research and development at Higher Educational Establishments. Data will only be shared for research and development purposes where the parent/legal guardian has given unambiguous consent
- Approved contractors such as Education Transport
- Longlands development centre

Why We Share Learner Information

We do not share information about our learners with anyone without consent unless GDPR legislation permits, and our policies allow us to do so.

We share learner 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 learners with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Parent/Carers, and Learner Rights

Parents, carers and learners who have mental capacity, have the following rights in relation to the processing of their personal data. You have the right to:

- Be informed about how the establishment uses your personal data.
- Request access to your personal data that the establishment holds.

- Request that your personal data is amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling reason for its continued processing.
- Request that the processing of your data is restricted.
- Object to your personal data being processed.

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

Data Collection Requirements:

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.

Youth support services Learners Aged 13+

Once learners reach the age of 13, we pass learner 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.
This enables them to provide services as follows:

- youth support services
- careers advice

A parent or 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 / learner once he/she reaches the age 16 where they are deemed to have the mental capacity to understand and make this decision.

Learners Aged 16+

We will also share certain information about learners aged 16+ with 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.

This enables them to provide services as follows:

- post-16 education and training providers
- youth support services
- careers advice

For more information about services for young people, please visit our local authority website. http://www.lancashire.gov.uk/

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 learners 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 NPD, go to https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information.

The department may share information about our learners 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 learner 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 learner information, (and for which project), please visit the following website: https://www.gov.uk/government/publications/national-pupil-database-requests-received

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

Post 19 Centre Data

Information regarding young adults in our Post 19 provision is held by:

The Loyne Specialist School
The Grizedale Centre
Lancashire County Council – Social Care
Lancashire County Council - Care Portal
Inventry
SIMs

All data is held securely with access limited to those that need it.

Robust processes are 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.

Requesting Access to your personal data

Under data protection legislation, parents/carer and learners age over 13 and young adults who have mental capacity 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 Anna Bradley (the Data Protection Officer) via the school.

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

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/

Contact

If you would like to discuss anything in this privacy notice, please contact, Anna Bradley, School Business Manager/Data Protection Officer.

Further information about General Data Protection Regulations (GDPR) can be found in our GDPR Compliance Policy on our website

Reviewed: May 2024
Date of next review: May 2027 or as and when changes occur
Reviewed by: Anna Bradley