

# Education Directorate Privacy Notice (How we use your information)

Bristol City Council (BCC) is the data controller for the purposes of the Data Protection Act 1998 and other regulations including the General Data Protection Regulation (Regulation (EU) 2016/679), which means it determines what your data is used for and why it is collected. The purpose of this privacy notice is to tell you about what information we collect about you when you are in contact with Bristol City Council Education Directorate, how we use that information and who we may share it with.

**The contact details of the data controller are [sue.rogers@bristol.gov.uk](mailto:sue.rogers@bristol.gov.uk)**

Who do we collect data on?

- Bristol students in an educational establishment in Bristol.
- Bristol students in an educational establishment outside of Bristol.
- Students in the care of another local authority educated in Bristol if the local authority or Bristol school have informed us that the young person is there.

The age range of the students whose data we collect is from the age of nought if registered at a Children's Centre or two if in a funded education place to the end of statutory school education, plus post 16 students in education and until 25 years of age if SEND and in education.

We also collect data on parents where it is applicable to an application for free schools meals, early years provision and extended early years provision or where it is relevant to a statutory process such as an EHCP application.

## The categories of information that we collect, hold and share include:

- Personal information (such as name, unique pupil number, and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Special Educational needs information where it is relevant to a young person and collected for statutory assessment purposes
- Nationally collected assessment data
- Data collected to complete a statutory process required as part of a legal pathway for example to undertake a free school meal application eligibility check.

## Why we collect and use this information

We use the pupil data:

- to comply with statutory duties placed on local authorities
- to provide statistical returns to the Department of Education

- to contribute to BCC and its partner agencies meeting the national priorities for the provision of education and skills, early help / intervention including special education needs and disabled children;
- provide the underlying information solution to support the delivery of more choice and control for children and families including delegated budgets;
- meet the specific requirements for data recording, needs analysis, evaluation and information sharing in relation to all statutory / legal requirements for Children's Services in the defined business areas;
- facilitate automated data gathering and transfer, analysis and information sharing in key business areas of CYPS, including integration and electronic data transfer between electronic systems;
- facilitate the business processes and workflows deployed by BCC and it's Children's Services to support effective and safe customer service delivery;
- provide accessible management information derived from case-specific data records to enable high quality operational, tactical and strategic management of the BCC CYPS business;

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

We collect and use pupil information under

- School Standards and Framework Act 1998 ('SSFA 1998')
- The Education Act 2002, as amended by the Education Act 2011;
- SEND - Special educational needs and disability code of practice: 0 to 25 years.
- The Children and Families Act 2014 and associated regulations.

## Collecting pupil information

Whilst the majority of pupil information you provide 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 pupil information to us or if you have a choice in this.

## Storing pupil data

We hold pupil data for the purpose we collected it for and outlined above.

All data is held against specific retention schedules. See the document retention schedule here (<https://www.bristol.gov.uk/documents/20182/33519/Retention+schedule>) for specific data retention timescales.

## Who we share pupil information with

We routinely share pupil information with:

- The DFE for statistical analysis in line with regulations.
- To share admissions applications and or offers with those schools/academy chains where a young person has applied to or been offered a place.
- Shared with specific contractors where a referral to work with young people and families around Participation in Learning and Troubled Families.
- Other LAs where CLA have been placed
- Post 16 providers.
- Information and analysis team to generate anonymised statistical returns.
- The Child Health and Information Service (CHIS) to improve public health services in line with our statutory obligations

## 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.

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.

## 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>.

## 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 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>

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

## 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 **CRT?**

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:

**Senior Data Protection Officer**  
**Bristol City Council**  
**Data Protection**  
**P O Box 3176**  
**BRISTOL**  
**BS3 9FS**  
**Data.protection@bristol.gov.uk**