Privacy Notice for Pupils, Parents and Carers.

Ratification Date: 20/07/21

Signed____AJHawkins_____

Review date: 11/09/26

Date of Next Review: Sept 2027

Version Control

Version	Date	Changes
1	July 21	Original
	July 23	Initial Review
1.1	Sept 23	Full document review-minor changes to introduction. Inclusion of DPO details. Paragraph on Data Protection Requirements removed and details added to National Pupil Database section.
1.2	26/09/24	Updated statement on who we are; amended statement on NPD reflecting how we will work with parner schools
1.3	12/09/25	Updated review schedule
1.4	11/9/26	P3 Update DPL

Review

Approved and reviewed by The Board of Directors.

This policy will be reviewed biannually, or more frequently, if necessary, to ensure that it remains up-to-date and effective. The review will take into account changes in legislation, guidance, and best practice.

Key staff involved in the GDPR process:

Role	**Name**
Provision COO	Dave Smith
Provision CEO	Andy Hawkins

Privacy Notice for Pupils, Parents and Carers.

We are Liminal Education. Liminal Education is an alternative provision working with pupils across all Key Stages from schools and other settings across Walsall, Wolverhampton, Sandwell, Staffordshire and Dudley promoting positive behaviour and providing a continuum of support for young people with behavioural, emotional and social difficulties.

This privacy notice explains how we collect, store and use personal data about our pupils. We, Liminal Education, are the 'data controller' for the purposes of the General Data Protection Regulation (GDPR) and as such we are obliged to inform you of the information we hold on you and your child(ren), what we use it for, who we share it with, and for how long we keep it.

Dave Smith is Liminal's Data Protection Lead (DPL). The role of the DPL is to ensure that Liminal is compliant with GDPR and to oversee data protection procedures. The contact details are:

davesmith@liminalcic.org.uk

Tel: 07889451425

The Categories of Pupil & Parent Information that we Collect, Hold and Share

Pupil

Personal Information:

- Name
- Address
- Date of Birth
- Unique pupil number

Characteristics:

- Gender
- Ethnicity
- Religion
- Nationality
- Preferred Language
- Country of birth
- Free Provision Meal eligibility
- Special educational needs information - EHCP's, statements, applications for support, care or support plans
- Medical Conditions and relevant medical information - NHS information, health checks, physical and mental health care, immunisation program and allergies)
- Attendance information. Session attended, number of absences and absence reasons and exclusion information
- Assessment information - data scores, tracking, and internal and external testing
- Behavioural information – details of support, including care packages, plans and support
- Safeguarding information

- Photographs - for internal safeguarding & security purposes, provision newsletters, media and promotional purposes
- CCTV images - for internal safeguarding & security purposes

We may also hold data about pupils that we have received from other organisations, including other provisions, schools, local authorities and the Department for Education

Parent/Carer

- Name
- Address
- Telephone number
- Email address
- Date of Birth
- Identification documents
- Emergency contact preference telephone number
- National insurance number
- Income/benefit details
- Employment status (whether key worker or not)

Why We Collect and Use This Information

We use the pupil and parent data to:

- support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral and medical care
- for safeguarding and pupil welfare purposes
- administer admissions waiting lists
- for research purposes
- to inform you about provision events
- to assess the quality of our services
- to comply with the law regarding data sharing
- to ensure correct support is offered during Covid-19

3. The lawful basis on which we use this information

Our lawful basis for collecting and processing pupil information is defined in GDPR under Article 6. The following elements of the article apply:

a) Data subject gives consent for one or more specific purposes.
b) Processing is necessary to comply with the legal obligations of the controller.
c) Processing is necessary to protect the vital interests of the data subject (Pupil, parent/carers)
d) Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).

Our lawful basis for collecting and processing pupil information is further defined under Article 9, in that some of the information we process is deemed to be sensitive, or special category data. The following elements of the article apply:

a) The data subject (Pupil, parent or carer) has given explicit consent.
b) It is necessary to fulfil the obligations of controller (provision) or of data
c) Subject. (pupil, parent/carer)
d) It is necessary to protect the vital interests of the data subject. (pupil, parent/carer)
e) Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions)
f) Reasons of public interest in the area of public health
g) It is in the public interest

Collecting Pupil Information

A full breakdown of the information we collect on pupils can be found in the provision's data mapping document.

On some occasions, we process personal information on the basis of consent, for example, when we wish to take and use pupil images. Consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

How We Use The Information You Provide To Us

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds, which justify our use of this data. Such reasons include:

The submission of the provision census returns, including a set of named pupil records, is a statutory requirement on provisions under Section 537A of the Education Act 1996. Putting the provision census on a statutory basis means that provisions do not need to obtain parental or pupil consent to the provision of information ensures provisions are protected from any legal challenge that they are breaching a duty of confidence to pupils helps to ensure that returns are completed by provisions

Storing pupil data

We hold pupil data whilst pupils attend our Provision. The file will follow the pupil when they leave the Provision. However, we have a legal obligation to keep information beyond their attendance at the provision, which will be destroyed in line with our data retention schedule as outlined within our data mapping document. Please contact us if you would like further clarification on our retention timescales.

We have data protection policies and procedures in place, including strong organisational and technical measures, which are regularly reviewed. Further information can be found on our website.

Who We Share Pupil Information With

We routinely share pupil information with appropriate external agencies to meet our legal obligation or where we have sought your permission. The agencies who we routinely share pupil information with include:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education (for further information relating to Covid-19 Testing, please refer to the Privacy Notice for Covid-19 Testing and the DfE Privacy Notice)
- Educators and examining bodies
- Ofsted
- Suppliers and service providers – to enable them to provide a service as part of a contract.
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies
- Provisions that the pupil's attend after leaving us

If we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Please contact our Data Protection Lead (see contact details at the end of this privacy notice) who can provide you with further details of who we share pupil information with as recorded in our data mapping document.

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 provision 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.

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils in provisions 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 provisions, local authorities and awarding bodies.

Mainstream schools are required by law, to provide information about their pupils to the DfE as part of statutory data collections such as the provision 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. Under this legislation we may be requested to share pupils information by partner schools.

For more information on information sharing with the DfE (including the National Pupil Database and Census) please go to: https://www.gov.uk/government/publications/national-pupil-database-user-guide-and- supporting-information. We will not share any information about you outside the organisation without your consent unless we have a lawful basis for doing so.

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 and your Data Protection Rights

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold, through a Subject Access Request. Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent. Parents also have the right to make a subject access request with respect to any personal data the provision holds about them.

We will provide information in a way that is:

- Concise

- Transparent
- Intelligible
- Easily accessible
- Uses clear and plain language

If you would like to make a subject access request please contact our Data Protection Officer.

Data subjects have the following rights with regards to their personal information, as follows:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purpose of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- Where relevant, the existence of the right to request rectification, erasure or restrictions, or to object to such processing
- The right to lodge a complaint with the ICO or another supervisory authority
- The source of the data, if not the individual
- The safeguards provided if the data is being transferred internationally

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;
- claim compensation for damages caused by a breach of the Data Protection regulations 11.

Complaints.

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance. To make a complaint, please contact our Data Protection Lead within provision, Mr D. Smith at Unit 1a, Stringes Close, Willenhall, West Midlands, WV13 1LE.

Contact Us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Lead.

You can also report a concern online to the Information Commissioners Office at https://ico.org.uk/concerns
Telephone Number 0303 123 1113

Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF 12.

Changes to this privacy notice

On occasions this privacy notice may be updated. We encourage you to check this privacy notice from time to time to ensure you understand how your data will be used and to see any minor updates. If material changes are made to the privacy notice, for example, how we would like to use your personal data, we will provide a more prominent notice (for example, email notification or correspondence of privacy notice changes).

For more information on information sharing with the DfE (including the National Pupil Database and Census) please go to: https://www.gov.uk/government/publications/national-pupil-database-user-guide-and- supporting-information. We will not share any information about you outside the organisation without your consent unless we have a lawful basis for doing so.