

Privacy Notice

(How we use pupil information)

Being transparent and providing accessible information to individuals about how we will use their personal data is a key element of the Data Protection Act 1998 (DPA) and the EU General Data Protection Regulation (GDPR). The most common way to provide this information is in a privacy notice.

SupaJam Education in Music and Media uses data to comply with the statutory duties placed on us in line with current legislation, such as The Children & Families Act 2014 and to ensure that we provide the best support to our students.

The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, contact details and address)
- characteristics (such as ethnicity, language, and looked after/care leaver status)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools/provision attended)
- assessment and attainment (previous school attainment, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- information regarding bursaries

Why we collect and use pupil information

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care and welfare support
- d) to assess the quality of our services
- e) to keep children and young people safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us for DfE and Local Authority data collections
- g)** to support the Local Authorities with accurate tracking data of young people in their jurisdiction

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information are:

- a) Article 6(1)(a) – the data subject has given consent to the processing of his or her personal data for one or more specific purposes (upon the signing of student enrolment forms)
- b) Article 6(1)(c) - processing is necessary for compliance with a legal obligation to which the controller is subject
- c) Article 6(1)(f) - processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Article 9 of the GDPR refers to ‘sensitive’ personal data: “Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation shall be prohibited.”

Sensitive personal data shall not be shared by SupaJam Education in Music & Media unless one of the following applies:

- “the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject” –
 - i.e. if you allow us to share that data and other legislation doesn’t prevent us from doing so
- “processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject” –

- i.e. if we believe that sharing this information will prevent or assist in the prevention of harm to someone, then we must share it
- “processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent” –
 - i.e. where an individual lacks the capacity or ability to give informed consent, we will share data where SupaJam Education in Music and Media is acting in the best interests of an individual for their emotional and physical wellbeing.

How we collect pupil information

We collect pupil information via;

- Referrals from students and/or their parents/carers
- Referrals from External agencies/professionals working on behalf of or in the interests of a young person
- Local Authorities
- Schools, colleges or other educational institutions

This information may come in the form of;

- an online request which we receive as email
- self-referrals logged as an Expression of Interest form
- Education, Health and Care Plan referrals
- Written requests
- Student files or copied documents transferred from previous educational placement
- Email information directly from referrers

Pupil data is essential for SupaJam Education in Music & Media’s operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

How we store pupil 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 request a copy of or a view to our Data Protection Policy. These are located within the main Administration Office and can be requested in writing via our Data Protection Officers at the address below.

A copy will be provided within 5 working days.

Who we share pupil information with

We routinely share pupil information with:

- Colleges or other educational institutions that the pupils attend after leaving us
- our local authority (i.e. Kent County Council) and the Local Authority from where the young people live (e.g. London Boroughs)
- youth support services
- the Department for Education (DfE)
- Providers of the programmes available at SupaJam Education in Music & Media

(i.e. Rock School London, NCFE, etc)

We will also share pupil information with other professionals working with or on behalf of students – with the explicit permission of the student (so long as the exceptions outlined above do not apply)

Why we regularly 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 pupil information with other agencies to ensure that the young persons attending SupaJam Education in Music & Media are able to be registered and complete our study programmes. We also share with Local Authorities and the DfE in order to fulfil our legal obligations with student information registration and enrolment.

Youth support services: Pupils aged 16+

We will also share certain information about pupils 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 advisers

Data is securely transferred to the youth support service via password protected email and is stored by them securely. It is held for as long as the youth service requires but no longer than is necessary under the new GDPR rules.

For more information about services for young people, please visit our local authority website.

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 pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections.

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 the Data Protection Officers via the address or email above.

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 Officers
SupaJam Education in Music & Media,
St Mary's Road,
Swanley, Kent,
BR8 7TE

Or via email: info@semmuk.com

How Government uses your data

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

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

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)

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>