



## Privacy Notice – Alternative Provision

Why do we need to process personal data?	To enable external providers of alternative provision to provide necessary support and services to young people.
What will it be used for?	Personal and sensitive data will be shared with providers to enable them to deliver appropriate services based on individual's needs
Will it be shared with others? If so, who?	Personal and sensitive data will be shared with specifically commissioned providers, on occasion it may be necessary for data to be shared with other agencies, organisations or people as set out below the privacy notice
What about your Data Protection rights?	For more information about how data is collected, stored, used and protected, please see our UK GDPR / Data Protection Policy which can be found on our website <b><a href="http://www.bennerleyfields.derbyshire.sch.uk">www.bennerleyfields.derbyshire.sch.uk</a></b>  You will find details about your rights and how to access data we hold, and what to do if you are not satisfied or wish to complain.

Data already held within the school systems will be shared with alternative provision providers on a case-by-case basis depending on the needs of the individual pupil, services to be delivered and support that is necessary.

### The personal data we may share

Personal data that we may share about pupils and their families and carers includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion and behaviour information

- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

### **Purpose of sharing the data**

We may share this data with alternative provision providers in order to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- manage safeguarding concerns
- develop strategies to improve pupil well-being and mental health
- encourage positive change and self-development
- Comply with the law regarding data sharing
- Complete statistical returns to the Government Departments for Education

### **The legal basis for sharing this data**

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- The processing is necessary for us to comply with the law section 537A of the Education Act 1996
- The processing is necessary for us to:
  - perform a task subject to a legal obligation,
  - and/or in the public interest

Less commonly, we may also process students' personal data in situations where:

- The individual has given clear consent for processing of their personal data for a specific purpose.
- We need to protect the individual's vital interests (or the interests of someone else).

If permission has been sought and provided by an individual pupil, this can be withdrawn at any time

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which enable us to lawfully process this data.

### **Collecting this information**

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

## **Data sharing**

When commissioning alternative provision for individual people, it is necessary for us to share personal data with that provider. A data sharing agreement is in place, which also sets out times when that provider may need to share information with us, but also with other third parties and organisations who may include but who are not limited to:

- The local authority
- The Department for Education
- The pupil's family and representatives
- Internal management and governance bodies
- Examination Boards
- Ofsted
- 3<sup>rd</sup> party suppliers and service providers
- Health authorities
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals, Youth Offending Team
- Professional bodies

## **Parents and pupils' rights regarding personal data**

Further details about how we process data, individual rights, our obligations and compliance with the Data Protection Act 2018 can be found on our website.

[www.bennerleyfields.derbyshire.sch.uk](http://www.bennerleyfields.derbyshire.sch.uk)

## **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. Details of how to complain are found within our complaints policy, which is also available on our website.

You have the right to complain to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK95AF