



The **co-operative**  
academy of Manchester

DATA PROTECTION ACT



## CONTENTS

Fair Processing of Personal Data - 1.....	3
Pupil personal details .....	3
Fair Processing of Personal Data - 2.....	5
The Local Authority.....	5
The Teaching Agency (TTA).....	5
Ofsted.....	5
The Education Funding Agency (EFA).....	5
Primary Care Trusts .....	6
The Department of Health .....	6
The Department for Education.....	7
Other agencies .....	7
Connexions .....	7
The Government's Seven Golden Rules for Information Sharing .....	9
Monitoring, Evaluation and Review .....	10



## **Fair Processing of Personal Data - 1**

The Co-operative Academy of Manchester processes personal data about its students and is a “data controller” in respect of this for the purposes of the Data Protection Act 1998. This data includes contact details, national curriculum assessment results, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information.

### **Pupil personal details**

Such including first name, last name and date of birth which The Co-operative Academy of Manchester has stored in its database will not be changed unless the pupil brings into the Academy one of the following items of documentation: a passport, birth certificate or change of name deeds. A copy will be taken and stored in the pupil’s file and the originals returned to the parent /carer.

This data may only be used or passed on for specific purposes allowed by law. From time to time the Academy is required to pass on some of this data to local authorities, the Department for Education (DFE), and to agencies that are prescribed by law, such as the The Teaching Agency Ofsted, Education Funding Agency (EFA) the Department of Health (DH), Primary Care Trusts (PCT), and organisations that require access to data in the Learner Registration System as part of the MIAP (Managing Information Across Partners) programme and Connexions (see below)]. All these are data controllers in respect of the data they receive, and are subject to the same legal constraints in how they deal with the data.

Students, as data subjects, have certain rights under the Data Protection Act, including a general right to be given access to personal data held about them by any data controller. The presumption is that by the age of 12 a child has sufficient maturity to understand their rights and to make an access request themselves if they wish. A parent/carer would normally be expected to make a request on a child’s behalf if the child is younger. If you wish to access your personal data, or that of your child, then please contact the relevant organisation in writing. Details of these organisations can be obtained from the Academy.



The **co-operative**  
academy of Manchester

A parent/carer includes all natural parents, whether they are married or not; any person who, although not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person; and any person who, although not a natural parent, has care of a child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law

### **For students of 13 years and over**

The Academy is legally required to pass on certain information to Connexions services providers on request. Connexions is the government's support service for all young people aged 13 to 19 in England. This information includes the name and address of the pupil and parent/carer, and any further information relevant to the Connexions services' role. However parents / carers, or the students themselves if aged 16 or over, can ask that no information beyond name and address (for pupil and parent/carer) be passed on to Connexions. If as a parent/carer, or as a pupil aged 16 or over, you wish to opt out and do not want Connexions to receive from the Academy information beyond name and address, please contact the Academy.

Fair Processing information gives supplementary information about the processing of pupil data by the organisations mentioned above (and greater details of how the pupil data is processed and the rights of parents / carers and students) can be obtained either by contacting the Academy or via the Academy website



## Fair Processing of Personal Data - 2

This gives additional information about the processing of students' personal data by the other organisations mentioned. This information includes contact details, national curriculum assessment results, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information.

From time to time the Academy is required to pass on some of this data to local authorities, the Department for Education (DFE), (which also has responsibility for 1 - see below) and to agencies that are prescribed by law, such as The Teaching Agency, Ofsted, the Learning and Skills Council (LSC), Education Funding Agency (EFA), the Department of Health (DH), Primary Care Trusts (PCT), and organisations that require access to data in the Learner Registration System as part of the MIAP (Managing Information Across Partners) programme. All these are data controllers for the information they receive. The data must only be used for specific purposes allowed by law.

**The Local Authority (LA)** uses information about children for whom it provides services to carry out specific functions for which it is responsible, such as the assessment of any special educational needs the child may have. It also uses the information to derive statistics to inform decisions on (for example) the funding of academies, and to assess the performance of academies and set targets for them. The statistics are used in such a way that individual children cannot be identified from them.

**The Teaching Agency (TTA)** uses information about students to administer the national curriculum assessments portfolio throughout Key Stages 1 to 3. This includes both assessments required by statute and those that are optional. The results of these are passed on to DFE to compile statistics on trends and patterns in levels of achievement. The TTA uses the information to evaluate the effectiveness of the national curriculum and the associated assessment arrangements, and to ensure that these are continually improved

**Ofsted** uses information about the progress and performance of students to help inspectors evaluate the work of academies, to assist academies in their self-evaluation, and as part of Ofsted's assessment of the effectiveness of education initiatives and policy. Ofsted also uses information about the views of children and young people, to inform children's services inspections in local authority areas. Inspection reports do not identify individual students. <http://www.ofsted.gov.uk/Data> Protection Officer, Alexandra House, 33 Kingsway, London WC2B 6SE;

**The Education Funding Agency (EFA)** uses information about students for statistical purposes, to evaluate and develop education policy and monitor the performance of the education service as a whole. The statistics (including those based on information provided by the TTA) are used in such a way that individual students cannot be identified from them. On occasion information may be shared with other Government departments or agencies



The **co-operative**  
academy of Manchester

strictly for statistical or research purposes only. The EFA or its partners may wish to contact learners from time to time about courses, or learning opportunities relevant to them.

**Learner Registration System (LRS)** EFA also administers the Managing Information Across Partners (MIAP) Programme on behalf of the MIAP membership. More information about MIAP membership can be found at <http://www.miap.gov.uk/>

LSC is responsible for the development and operation of the Learner Registration Service (LRS) and also the creation of a learner record.

For students of 14 years and over and for students registering for post-14 qualifications, the Academy will pass on certain identification information to the LRS to create and maintain a unique learner number (ULN), and achievement information to the MIAP Service to create and maintain a learner record.

The Learner Registration Service will enable organisations allowed by law and detailed at [www.miap.gov.uk](http://www.miap.gov.uk) to access the ULN and contain it in their systems, thereby saving individuals having to supply the same information repeatedly to different organisations.

Details of how an individual may opt-out of sharing achievement data in their learner record with those organisations detailed can also be found at [www.miap.gov.uk](http://www.miap.gov.uk) Data Protection Officer Cheylesmore House, Quinton Road, Coventry, Warwickshire CV1 2WT

**Primary Care Trusts (PCT)** use information about students for research and statistical purposes, to monitor the performance of local health services and to evaluate and develop them. The statistics are used in such a way that individual students cannot be identified from them. Information on the height and weight of individual students may however be provided to the child and its parents / carers and this will require the PCTs to maintain details of students' names for this purpose for a period designated by the Department of Health following the weighing and measuring process. PCTs may also provide individual academies and LAs with aggregate information on students' height and weight.

<http://www.nhs.uk/England/AuthoritiesTrusts/Pct/Default.aspx>

**The Department of Health (DH)** uses aggregate information (at academy year group level) about students' height and weight for research and statistical purposes, to inform, influence and improve health policy and to monitor the performance of the health service as a whole. The DH will base performance management discussions with Strategic Health Authorities on aggregate information about students attending academies in the PCT areas to help focus local resources and deliver the Public Service Agreement target to halt the year on year rise in obesity among children under 11 by 2010, in the context of a broader strategy to tackle obesity in the population as a whole. The Department of Health will also provide aggregate PCT level data to the Healthcare Commission for performance assessment of the



The **co-operative**  
academy of Manchester

health service. [www.dh.gov.uk](http://www.dh.gov.uk) Data Protection Officer at Skipton House 80 London Road London SE1 6LH;

**The Department for Education (DFE)** uses information about students for research and statistical purposes, to inform, influence and improve education policy and to monitor the performance of the education service as a whole. The DFE will feed back to LAs and academies information about their students for a variety of purposes that will include data checking exercises, use in self-evaluation analyses and where information is missing because it was not passed on by a former academy.

The DFE will also provide Ofsted with pupil data for use in Academy inspection. Where relevant, pupil information may also be shared with post 16 learning institutions to minimise the administrative burden on application for a course and to aid the preparation of learning plans. Pupil information may be matched with other data sources that the Department holds in order to model and monitor students' educational progression; and to provide comprehensive information back to LAs and learning institutions to support their day to day business.

The DFE may also use contact details from these sources to obtain samples for statistical surveys: these surveys may be carried out by research agencies working under contract to the Department and participation in such surveys is usually voluntary. The Department may also match data from these sources to data obtained from statistical surveys.

The DFE may also disclose individual student information to independent researchers into the educational achievements of students who have a legitimate need for it for their research, but each case will be determined on its merits and subject to the approval of the Department's Chief Statistician. <http://www.dfe.gov.uk/> Data Protection Officer, DFE, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

**Other agencies** Pupil data may also be shared with other Government Departments and Agencies (including the Office for National Statistics) for statistical or research purposes only. In all these cases the matching will require that individualised data is used in the processing operation, but that data will not be processed in such a way that it supports measures or decisions relating to particular individuals or identifies individuals in any results. This data sharing will be approved and controlled by the Department's Chief Statistician.

Students, as data subjects, have certain rights under the Data Protection Act, including a general right of access to personal data held on them. Students wishing to access your personal data, or you wish parents / carers to do so on their behalf, should contact the relevant organisation in writing:

**Connexions** For students of 13 years and over, the Academy is legally required to pass on certain information to Connexions services providers on request. Connexions are the government's support service for all young people aged 13 to 19 in England. This



The **co-operative**  
academy of Manchester

information includes the name and address of the pupil and parent carer, and any further information relevant to the Connexions services' role. However, parents/carers, or the students themselves, if aged 16 or over, can ask that no information beyond name and address (for pupil and parent/carer) be passed on to Connexions. If as a parent/carer, or as a student aged 16 or over, you wish to opt-out and do not want Connexions to receive from the Academy information beyond name and address, then please contact the Academy.

The LA and DFE may supply to Connexions services providers information which they have about children, but will not pass on any information they have received from the Academy if parents /carers (or the children themselves if aged 16 or over) have notified the Academy that Connexions should not receive information beyond name and address.



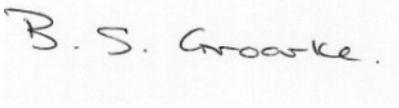
## The Government's Seven Golden Rules for Information Sharing

1. **Remember that the Data Protection Act is not a barrier to sharing information** but provides a framework to ensure that personal information about living persons is shared appropriately.
2. **Be open and honest** with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. **Seek advice** if you are in any doubt, without disclosing the identity of the person where possible.
4. **Share with consent where appropriate** and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.
5. **Consider safety and well-being:** Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.
6. **Necessary, proportionate, relevant, accurate, timely and secure:** Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely
7. **Keep a record** of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.



## Monitoring, Evaluation and Review

The Governing Body will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the Academy.

<b>Adopted by the Co-operative Academy on</b>	<b>18<sup>th</sup> June 2015</b>
<b>Chair of Governors</b>	
<b>Principal</b>	
<b>Review date</b>	<b>30 April 2017</b>