

BRIGHT FUTURES EDUCATIONAL TRUST

ACCESS TO STUDENTS' RECORDS POLICY

This policy should be used in conjunction with the Data Protection and Freedom of Information Policies, which also detail the responsibilities and obligations in terms of sharing information.

1. Rationale

- 1.1** The Trust recognises that pupil/student records are confidential documents for use only within the individual Academies for matters relating to individual pupils/students.
- 1.2** All staff need to maintain and respect an individual's right to privacy and, in doing so, should be careful not to disclose personal information that could compromise the individual concerned, or themselves.
- 1.3** The Trust recognises that:
 - Sharing information can be vital in relation to early intervention in helping pupils/students and families who require additional services to achieve positive outcomes in the best interests of the child. This process helps to reduce inequalities between disadvantaged young people and others and includes such things as:
 - Additional help with learning.
 - Specialist health services.
 - Support for parents/carers in developing parental skills.
 - Help in moving away from criminal behaviour.
 - Help in moving away from anti-social behaviour.
 - Information sharing is also a significant factor in safeguarding and promoting the welfare of young people. Failure to share and record information and to clearly understand the significance of the information shared can lead to the breakdown in taking appropriate action in relation to known or suspected cases.
 - In most situations, Academy staff will need to make a professional judgement in relation to seeking or sharing information. This must be done within the Academy and must recognise the law in relation to sharing information.

2. Government General Guidelines and Principles

2.1 To ensure information is correctly and appropriately shared, the Trust will adopt the following government general guidelines and principles:

- The safety and welfare of pupils/students must be the first consideration when making a decision about sharing information about them.
- There must be a legal basis for sharing information and a legitimate purpose for doing so.
- When dealing with confidential information, you will need to be satisfied there is either:
 - A statutory obligation to disclose.
 - Expressed, or implied, consent from the persons involved.
 - An overriding public interest in disclosing the information.

2.2 The following points should be observed:

- The information shared should be accurate and up-to-date, relevant to the purpose for which you are sharing and you should only share information with those practitioners or agencies that 'need to know'.
- You should establish how the information is to be used and if the recipient intends to pass the information on to others.
- You should take all reasonable steps to ensure the security of the information shared.
- You should be open and honest with pupils/students and their parents/carers about the reasons why the information needs to be shared and why particular actions need to be taken, unless to do so would adversely affect the purpose for which the information is to be shared.
- You should gain consent to share information, unless it is not safe or possible to do so, or if it would undermine the prevention or detection of a crime.
- Whenever information is shared, with or without consent, the information shared, when and with whom and for what purpose should be recorded. Similarly, if a decision is taken not to share, this should also be recorded.

3. Student Personal Information Data

3.1 Personal Student Information Data for the Public Domain

3.1.1 There is a legal requirement that information relating to pupils'/students' academic achievements and progress must be published annually as requested by the Department for Education. This will be taken by the each Academy's Data team, in line with Department for Education guidelines.

- 3.1.2** Any other academic data related to past or present pupils/students used for any purpose outside the Academy must be presented in an anonymous format, unless the pupils/students concerned have given their consent.
- 3.1.3** Sensitive personal information about past or present pupils/students should only be disclosed to external agencies acting for, and on behalf of, individual pupils/students or their parents/carers. This information will only be shared using the guidelines and principles described in the policy and may include some of the following agencies and organisations:
- The Connexions Service.
 - Social services.
 - Educational Psychologists.
 - Medical professionals.
 - Education Support services.
 - The Police Force and its related organisations.
- 3.1.4** In most instances, parental/carer permission/consultation should be sought prior to involving outside agencies. Exceptions to this rule include matters relating to Child Protection, which should only be referred through the Designated Child Protection Officer and, for example, cases of medical emergency. In these instances, parents/carers should be notified without delay, unless the safety and/or welfare of the pupil/student is at risk by doing so.
- 3.1.5** Under no circumstances should personal information be passed on to the representatives of the Media.

3.2 Personal Student Information Within Each Academy

- 3.2.1** Within each Academy, there will be a need for staff to be informed of individual pupil/student information, both for academic and pastoral reasons.
- 3.2.2** Academic data will be available for all teaching and associate staff to enable them to plan, target and monitor effectively. Teaching staff will discuss individual achievement data with the individuals concerned and their parent/carer, if required.
- 3.2.3** Senior Tutors, Heads of House, Form Tutors and other members of pupil/student support and pastoral staff, including those with responsibility for SEND, will need to have a view of both academic achievement data and personal information data and should discuss these with the individual pupils/students and parents/carers, as required. Individual personal data will also be shared with any and

all Academy staff if it is deemed necessary to ensure the pupil/student is taught and catered for appropriately.

3.2.4 Personal information regarding individual pupils/students should not be discussed with members of the public by any of the Academy staff.

3.2.5 All teaching and appropriate associate staff should also be notified of any medical and SEND information relating to pupils/students at the start of each academic year. The SEND and medical register will be updated regularly and held securely and centrally for all Academy staff to access and updated information will be passed on to appropriate staff during the year.

3.3 Parental/Carer Access to Student Personal Information Data

3.3.1 Parents/Carers have a legal right to access their child's records and personal data. The procedure for parents/carers and the Academy is:

- The parent/carers make a written request to see their child's personal data information to the Headteacher/Principal.
- The Headteacher/Principal authorises the request, once satisfied the identity of the person requesting the information is the legal parent or carer.
- The Deputy Head/Assistant Headteacher/Vice Principal will contact the parent/carers and make the personal data available for viewing on the Academy's premises. The original information must remain within the filing system of the Academy.

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