Privacy Notice for Pupils

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1. Introduction

We collect and use personal information about pupils so that we can operate effectively as a school.

This privacy notice explains how we collect, store and use (i.e. process) pupils' information, as well as what rights pupils have in relation to our processing of their information.

If you would like to discuss anything in this privacy notice at any time, please contact:

School Lead:	Bertie Hornibrook
Data Protection Officer:	Nicola Cook, SchoolsDPO Ltd nicola@schoolsdpo.com 01296 658502

2. The categories of pupil information we process includes:

- **Personal identifiers and contacts**, e.g. name, unique pupil number, contact details and address, identification documents, photographs
- **Characteristics**, e.g. ethnicity, language, pupil premium and free school meal eligibility
- **Attendance information**, e.g. sessions attended, number of absences and reasons, any previous schools attended
- **Assessment and attainment**, e.g. key stage 1 and phonics results
- **Medical and administration**, e.g. child health, dental health, allergies, medication and dietary requirements, doctor's information
- **Special educational needs**, including details of the needs and ranking
- **Behavioural information**, e.g. behavioural incidents, exclusions and any alternative provision put in place
- **Safeguarding information**, e.g. court orders, professional involvement
- **Additional educational activity information**, e.g. involvement in school trips, after school clubs, sporting events.

3. Why we collect and use pupil information

The personal information we collect and use is essential for us to operate effectively as a school and meet our legal obligations.

We collect and use pupils' personal information for the following purposes:

a. Support pupil learning
b. Monitor and report on pupil attainment and progress
c. Provide appropriate pastoral care
d. Protect the welfare of pupils and others in our school
e. Meet our legal obligations
f. Administer school admissions
g. Run our school safely and effectively
h. Assess the quality of our services.

4. Collecting pupil information

We collect information about pupils before they join our school and keep this updated as necessary.

Most of the personal information we process is provided directly by parents when their child joins us. The majority of information provided by parents is mandatory, but some may be provided on a voluntary basis. Whenever we collect pupil information from parents, we will make it clear whether providing it is mandatory or optional.

We may also receive information via secure transfer from another school or setting, or from external professionals supporting a pupil (e.g. educational psychologists, speech therapy etc).

5. Storing pupil information

A significant amount of personal information is stored electronically, e.g. in our management information database and curriculum network. Some information may also be stored in hard copy format in lockable cabinets.

We hold pupil information in line with our retention schedule.

6. Who we share pupil information with

We routinely share pupil information with:

- Schools that pupils attend after leaving us
- Our local authority to support it in meeting its statutory duties, e.g. school admissions

- Department for Education (DfE), e.g statutory data collections (see Appendix One for information on how the DfE uses pupils' information)
- Companies providing services to our school, e.g catering, educational software, photography, communication services

From time to time, we may also share pupil information with third parties, including:

- NHS health professionals, including the school nurse
- Educational psychologists
- Education Welfare Officers
- Prevent teams to meet the Prevent Duty on schools
- Police and law enforcement agencies
- Courts, if ordered to do so
- Research organisations
- Charities and voluntary organisations.

We do not share information about our pupils with anyone without consent, unless the law and our policies allow us to do so.
When we share pupil information with third parties, we will always ensure that we share the minimum amount of information necessary for the purpose of the sharing. We will also require them to keep pupil personal information secure and to treat it in accordance with data protection law.

7. The lawful basis on which we use this information

Our school, as a data controller, needs to comply with the UK's General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018. We are required to ensure we have a lawful basis under the GDPR for any processing we carry out on personal data.

Under Article 6 of the GDPR, the lawful bases we rely on for processing pupil information are:

- We need to comply with a **legal obligation**, e.g. DfE data returns
- We need to meet our **public task** of running our school and keeping everyone safe
- We have a **legitimate interest**
- We have obtained **consent** to use personal information in a certain way
- We need to protect someone's life (**vital interests)** in an emergency.

Some pupil information requires extra protection because it is considered more sensitive. This includes race, ethnicity, religious beliefs, medical conditions, genetic information and biometric data.

Under Article 9 of the GDPR, if we are processing special category data, we will also rely on one of the following lawful conditions:

- We have **explicit consent**
- To meet our obligations as a data controller, or those of data subjects, in connection with **employment, social security and social protection**
- To meet our **public interest** task of keeping pupils safe and ensuring **equality of opportunity/treatment**
- To establish, exercise or defend **legal claims**
- To protect someone's life (**vital interests**) in an emergency.

In addition, under the UK's Data Protection Act 2018, we rely on the processing conditions at Schedule 1 part 1, paragraphs 8 and 18. These relate to the processing of special category data for safeguarding and equality of opportunity/treatment. Our Appropriate Policy Document provides more information about this processing, which is held in the school office.

8. The lawful basis of consent

Whenever we rely on consent as our lawful basis, it must be freely given, informed and clear. It can also be withdrawn at any time by contacting the school lead (details on the first page).

9. Pupils' Data Protection Rights

Under the GDPR pupils have the right to request access to the information about them that we process (a **subject access request)**.

Where a child does not have the maturity to understand their own data rights, a parent can make a subject access request on their behalf. It is generally considered that around the age of 12 a child is mature enough to understand and request access to their information.

Therefore, in our primary school, parents are able to make an access request on behalf of their child; although we will always consider this on a case by case basis.

To make a request for your child's information, please contact the school lead (details on first page).

Pupils (or parents on their behalf, as above) also have the right to:

- Have their personal data corrected if it is inaccurate or incomplete
- Request the deletion or removal of personal data where there is no compelling reason for its continued processing
- Restrict the processing of their personal data (i.e. permitting its storage but no further processing)
- Object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- Not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect upon them.

For more information on how we handle subject access requests, please see our Data Protection Policy, which is kept in the school office.

10. Parents' right to access their child's educational record

In our school, as a maintained school, parents have a separate right to access their child's educational record under the Education (Pupil Information, England) Regulations 2005.

The request must be made in writing and the information will be provided within 15 school days of receipt of the request. This is an independent legal right of parents and sits outside of the GDPR.

11. How you can help us

As a school, we have limited staff resources outside of term time. It is really helpful if parents can submit any requests for access to their child's information during term time and not too close to the end of term. This will support us in responding as quickly as possible to any requests, which we always want to do.

12. Any concerns

We take any concerns about our collection and use of personal information very seriously, so please contact us (details on first page) to raise any concerns in the first instance.

If you remain concerned, having done this, you have the right to raise your concerns with the Information Commissioner's Office:

https://ico.org.uk/make-a-complaint/your-personal-information-concerns/
Call: 0303 123 1113

13. Appendix One - Department for Education

(Information provided by the DFE)

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 DfE, either directly or via our local authority for the purpose of those data collections.

For example, for the school census: section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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 .

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 and 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 the DfE to request access to individual level information relevant to detecting that crime.

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

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you

- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:
https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

To contact DfE: https://www.gov.uk/contact-dfe