



## Privacy Notice – Pupils

*(How we use pupil information)*

### The categories of pupil information that we collect, hold and share include:

- Personal information (such as name, unique pupil number and address)
- Parental personal information (such as name and address and NI number)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as progress and attainment of pupils)
- Medical information (such as any conditions, allergies and medical needs)
- Special Education Needs information (such as EHCPs)
- Exclusions/ Behavioural information
- Safeguarding information
- images of pupils (and occasionally other individuals) engaging in school activities, and images captured by the school's CCTV system;

### Why we collect and use this information

We use this data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to contact you with regards to your child(ren)
- to apply for funding (e.g. Pupil Premium and Early Years Pupil Premium)
- to fulfil our safeguarding duties

### The lawful basis on which we use this information

We collect and use pupil information under the following set of legal bases in accordance with Article 6 of the GDPR and Article 9 of the GDPR:

- Legitimate Interests: this means that the processing is necessary for legitimate interests except where the processing is unfair to your child. The School has a legitimate interest in:

- Providing your child with an education
- Safeguarding and promoting your child's welfare and the welfare of other children
- Legal Obligation: where the School needs to use your child's information in order to comply with a legal obligation, for example to report a concern about wellbeing to Children's Services. We may also have to disclose information to third parties such as the courts or the police where legally obliged to do so. We process your child's information under
  - Section 537A of the Education Act 1996 (Census/ Personal Data)
  - Section 88(1) of the Education and Inspections Act 2006 (Behaviour)
  - Section 84 of the School Standards and Framework Act 1998 (Admissions)
  - School Admissions Regulations 2012 (Admissions)
  - The Education (Pupil Registration) (England) (Amendment) Regulations 2013 (Attendance)
  - Childcare Act 2006 (Early Year Curriculum)
  - The Children and Families Act: S69 (SEN)
  - The Special Educational Needs and Disability Regulations 2014 (SEN)
  - The Health & Safety at Work Act 1974 (Health & Safety)
  - Keeping Children Safe in Education (Child Protection)
  - Children and Families Act 2014 S100 (Medical & Health Information)

We must also comply with an additional condition where the school processes special categories of personal information in accordance with Article 9. These special categories including: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, health information, and information about sex life and orientation.

- Substantial public interest: the processing is necessary for reasons of substantial public interest.
- Vital interests: to protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.
- Legal claims: the processing is necessary for the establishment, exercise of defence of legal claims. This allows us to share information with our legal advisors and insurers.
- Medical purposes: this includes medical treatment and the management of health conditions at school.

### **Collecting pupil information**

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

### **Storing pupil data**

As an infant school, pupil records are transferred to the pupil's next school (e.g. Junior school and/ or another primary school). We hold pupil data for 6 years following their departure from the school.

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## Who we share pupil information with

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)
- the School Nurse
- the school uses a management information system, assessment systems and communication systems that securely hold pupil information.

## Why we 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 pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

### 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)

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.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

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- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

### **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 Miss Jo Marshall, the school's Data Protection Officer.

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
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact 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:

**John Walker**  
**Data Protection Officer**  
**07736 669961**  
[john@jwalker.co.uk](mailto:john@jwalker.co.uk)