



## **Privacy Notice for Our Pupils (How we use pupil information)**

Mary Dean's CE Primary School is a data controller for the purposes of the General Data Protection Regulations (GDPR). This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to tell you what information we hold about you, why we hold it, how we use it and to tell you about your rights.

This notice applies to current and former pupils of the School.

### **Data Protection Principles**

We will comply with data protection laws. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- Relevant to the purposes we have told you about and limited only to those purposes;
- Accurate and kept up to date;
- Kept only as long as necessary for the purposes we have told you about;
- Kept securely;

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

- Personal information (such as name, unique pupil number, address, medical information, photograph, special education needs, exclusions, behavioural information);
- 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;
- Relevant medical information;

### **Why we collect and use this information**

We use the pupil 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 support the management of school trips and provision outside of the school day;
- to protect health and safety;

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

We collect and use pupil information for the purposes of data collection under the Education Act 1996. Furthermore, we collect and use information:

- To perform the contract we have entered into with pupils/parents relating to the provision of education;
- To deliver education in accordance with public interest;
- Where we need to comply with a legal obligation;
- Where it is necessary for our legitimate interests (or those of a third party) and the pupil's interests and their fundamental rights do not override those interests;

We may also use pupil information in the following situations, which are likely to be rare:

- Where we need to protect their interests (or someone else's interests);

## **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**

We will only retain pupil data for as long as is necessary. Generally speaking, the majority of pupil data will be retained for the period in which the pupil remains on the school roll plus a further two months to allow the data to be transferred to the pupil's next school. Certain other categories of data for example, safeguarding or in relation to special educational needs will be kept for longer in accordance with guidance from the ICO. Further information is contained in within ICO retention guideline. These can be found here <https://ico.org.uk/for-organisations/guide-to-data-protection/principle-5-retention/>

## **Who we share pupil information with**

We routinely share pupil information with:

- Schools that the pupils attend after leaving this School;
- Our local authority;
- Another Local Authority if a pupil transfers into our School
- The Department for Education (DfE);
- NHS – School Nurse Team;

## **Why we share pupil information**

We may share your personal information with third parties (other organisations) where required by law, where it is necessary for the provision of education, where it is in your interests for us to do so or where we have another legitimate interest in doing 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 the (DfE) under regulation 5 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:

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

### **Requesting access to your personal data**

Under data protection laws, 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 your School Office Administrator or School DPO.

Pupils and parents 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/>

### **Data security**

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties (other organisations such as Eduspot or CaterEd)) will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a genuine need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. [Details of these measures may be obtained from the Data Protection Officer]

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **Data Protection Officer**

The Local Authority will appoint data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO) [the UK supervisory authority for data protection issues.] If you would like to discuss anything in this privacy notice, please contact The Head Teacher in the first instance.