

Newton Poppleford Primary School

Privacy Notice (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)
- Contact details and preferences
- 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
- Photographs
- SEN Information
- Relevant medical & dietary information
- Siblings
- Behavioural information including exclusions
- Modes of travel, where supplied
- School history

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

The lawful basis on which we use this information

We process this information under the legal basis of '**public interest**' as an educational setting/school with the delegated task of education and safeguarding the children in our care and under a legal obligation which necessitates our school making statutory returns to the Department for Education (DfE) and our Local Authority [as described in Article 6, section C, GDPR from 25 May 2018.

Our school is obliged to make statutory pupil census returns and hold attendance information under the following legislation:

Education Act 1996 – Section 434 (1), (3), (4) & (6) and section 458 (4) & (5)

Education (Pupil Registration) (England) (Amendment) Regulations 2013

Department for Education Advice on Attendance (Nov 2016)

The special categories of data have been collected through explicit consent from the data subject in support of the specific purposes for which the data is being used in the education and safeguarding of pupils in our care [Article 9, GDPR].

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 hold pupil data for the recommended retention periods as set out in the Information Management Toolkit for Schools which is available via the link provided on the school website: https://www.newton-poppleford.devon.sch.uk/website/gdpr__privacy

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)
- School Pupil Tracker (SPTO)
- eSchools
- Health Authorities & Educational Professionals
- Schoolcomms
- CPOMs
- Parent Support Advisor
- Babcock

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>.

Whilst the majority of pupil information you provide to us is mandatory (for reasons described above), there may be some information which we ask you for which is not mandatory but provided on a voluntary basis.

In some cases, we will ask you for information on the legal basis of **legitimate interest** where the information is required to support an educational or safeguarding function (e.g., a parent/carer email address or mobile contact number so that we can contact the parent/carer in an emergency or reasons involving the safety of the child).

The data we collect relating to medical health information is necessary to protect the **vital interests** of the child so that we can ensure a child's medical needs are properly addressed and catered for.

As a Parent/carer, you cannot decline a data collection but you have right to decline providing information for self-declared data items by selecting the 'Refused' option e.g., ethnicity.

There are certain personal data items (e.g., photographs) which we collect on the legal basis of legitimate

interest. We will ask you for your explicit consent about how these data items can be used if the purpose extends beyond holding the data within our main management information system (e.g., photograph on our school's website). As a parent/carer you can change your decision to grant or withdraw consent at any time.

If at any point in the future, we seek to use any previously collected information for another purpose or use the information in new software, we will ask for your explicit consent to do so.

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 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 the Head Teacher or the School Office. 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:

Stuart Vaughan, Head Teacher