



# LEA C of E Primary and Pre School PRIVACY NOTICE RELATING TO PUPIL INFORMATION May 2018



## What is the purpose of this Notice?

This is our school's Privacy Notice which is intended to provide you with information about how and why we process pupil information. It is also intended to provide you with other information which is required under the General Data Protection Regulation (GDPR). The GDPR is a piece of legislation which contains the key laws relating to data protection.

It is important to the school, and a legal requirement, that we are transparent about how we process pupil information. As a school that processes pupil information, we are known as a "data controller". This means that we collect and use personal information for specified purposes which this Privacy Notice has been designed to tell you about.

## The Data Protection Officer

The school has an appointed Data Protection Officer (DPO), Tracey Ballinger, who can be contacted in writing at Lea C.E. Primary School, Lea, Ross-on-Wye, Herefordshire, HR9 7JY or by telephone on 01989 750296. The DPO is responsible for dealing with data protection issues within the school and you can contact the DPO should you wish to discuss any issues or concerns that you have about data protection.

## What pupil information do we collect for these purposes?

The types of pupil information that we collect for the above purposes will include:

- Pupil names, unique pupil numbers, contact details (including parent(s)/guardian(s) details)
- 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)
- Information relating to pupil exclusion
- Attainment records including national curriculum assessment results
- Records of where pupils go after they leave us
- Safeguarding information
- Special educational needs information
- Medical information
- Behaviour Information

## What is the purpose of us collecting and using pupil information

The purposes for which the school collects personal information are as follows:-

- To support our pupils' learning
- Monitor and report on their progress
- Provide appropriate pastoral care
- Assess the quality of our services
- To comply with the law regarding data sharing
- For safeguarding purposes

## Why is it lawful to collect this pupil information?

As a school, we are subject to a wide range of laws which we must comply with to further pupil education and to safeguard their well-being. To comply with these laws, it is necessary to collect pupil information as described in this Privacy Notice. Under the GDPR, it is lawful for the school to collect pupil information, as far as is necessary, to comply with the laws which we are subject to (Article 6(1)(c) of the GDPR).

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 GDPR, we will inform you whether you are required to provide certain pupil information to us or if you have a choice. If you have a choice, then we will obtain your consent first. Even if you consent to us collecting and using this information, you have a right to withdraw consent at any time (Article 6(1)(a) of the GDPR). It maybe that we hold some emergency information, for example contact details and medical information which is lawful as it is done so in the vital interests of our pupils (Article 6(1)(d)).

Some types of pupil information are regarded as more sensitive under the GDPR and referred to as being a 'special category' of personal information. If we intend to collect and use this information, we will inform you first, and comply with the requirements of the GDPR, and our own policies, to ensure that what we do is lawful. Usually we will obtain your explicit consent (Article 9(2)(a) of the GDPR).

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

- schools that the pupils attend after leaving us;
- our local authority;
- the Department for Education (DfE);
- School Nurse
- Educational support services who are engaged by the school

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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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>

### **How long will we hold pupil information for?**

We will hold pupil information for a period of time specified by law and as detailed within our retention policy. The length of time will depend on the nature of the information held. Generally, pupil educational records will be held for time that the pupil is registered at the school and then passed on to the pupils next school. For more information, please contact the DPO.

### **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, please contact the 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, you should raise your concern with the Data Protection Officer in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>