# Privacy Notice (How we use Pupil Information)

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

* Personal information (such as name, date of birth, contact details, unique pupil number and address)
* Characteristics (such as ethnicity, language, nationality, country of birth, SEND, and free school meal eligibility)
* Attendance information (such as sessions attended, number of absences and absence reasons)
* Assessment and attainment Information (such as key stage and phonics results)
* Medical Information (such as doctor’s information, child health, dental health, allergies, medication and dietary requirements)
* Behavioural Information (such as exclusions and relevant alternative provision)
* Special Educational Needs information
* Safeguarding information (such as court orders and professional involvement)
* Records of participation in off site activities

This list is not exhaustive and may be updated. Please see current privacy notice on the school website: [www.crosscanonby.cumbria.sch.uk](http://www.crosscanonby.cumbria.sch.uk)

**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 keep children safe (allergies, emergency contact details)
* to monitor and support regular attendance

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

Our lawful basis for collecting and processing pupil information is defined under Article 6, and the following sub-paragraphs in the GDPR apply:

(a) Data subject gives consent for one or more specific purposes.

(c) Processing is necessary to comply with the legal obligations of the controller.

(d) Processing is necessary to protect the vital interests of the data subject.

(e) Processing is necessary for tasks in the public interest or exercise of authority  vested in the controller(the provision of education).

Our lawful basis for collecting and processing pupil information is also further defined under Article 9, in that some of the information we process is deemed to be sensitive, or special, information and the following sub-paragraphs in the GDPR apply:

(a) The data subject has given explicit consent.

(b) It is necessary to fulfil the obligations of controller or of data  subject.

(c) It is necessary to protect the vital interests of the data subject.

(d) Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions)

(g) Reasons of public interest in the area of public health

(i) It is in the public interest

Where we have obtained consent to use pupils’ personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils’ personal data overlap, and there may be several grounds which justify our use of this data.

An example of how we use the information you provide is:

*The submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under Section 537A of the Education Act 1996.*

*Putting the school census on a statutory basis:*

*•      means that schools do not need to obtain parental or pupil consent to the provision of information*

*•      ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils*

*•      helps to ensure that returns are completed by schools*

[**www.gov.uk/education/data-collection-and-censuses-for-schools**](http://www.gov.uk/education/data-collection-and-censuses-for-schools)**].**

**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 securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit the school website: [www.crosscanonby.cumbria.sch.uk](http://www.crosscanonby.cumbria.sch.uk)

**Who we share pupil information with**

We routinely share pupil information with:

* schools that the pupils attend after leaving us;
* our local authority;
* the Department for Education (DfE).
* school health service professionals or NHS
* School Management Information System providers (Scholarpack and Teachers2Parents)
* Research Organisations such as NFER
* Companies who provide educational support and online learning services (Purple Mash, Tapestry)

**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 [www.gov.uk/education/data-collection-and-censuses-for-schools](http://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 [www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information](http://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: [www.gov.uk/data-protection-how-we-collect-and-share-research-data](http://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: [www.gov.uk/government/publications/national-pupil-database-requests-received](http://www.gov.uk/government/publications/national-pupil-database-requests-received)

To contact DfE: [www.gov.uk/contact-dfe](http://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 school’s Data Protection Officer, Mrs Stacey Cornthwaite on admin@boltons.cumbria.sch.uk**

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:

**the school’s Data Protection Officer, Mrs Stacey Cornthwaite on admin@boltons.cumbria.sch.uk**

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