



## **Devonshire Road Primary School Privacy Notice (How we use pupil information)**

**We need to hold personal information about your child on our computer systems and in some cases in paper records to help us with their educational needs.**

The Head Teacher is our Senior Information Risk Officer (SIRO) and is responsible for the accuracy and safe keeping of records. Please help to keep your child's records up to date by informing us of any change in circumstance.

### **The categories of pupil information that we process include:**

- Personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Information about Special Educational Needs & Disability (including the needs and ranking)
- Information about medical conditions (such as doctor's information, child health, dental health, allergies, medication and dietary requirements)
- Attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment and attainment (such as EYFS, phonics results, and KS2 SATs)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Photographs relating to school activities to evidence learning.

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

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment and progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us for the Department for Education (DfE) data collections

## Legal Basis for Collecting Pupil data

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing pupil information are:

- a) **Consent:** the individual has given clear consent for the school to process their personal data for a specific purpose.
- b) **Contract:** the processing is necessary for a contract the school have with the individual, or because they have asked you to take specific steps before entering a contract.
- c) **Legal obligation:** the processing is necessary for the school to comply with the law (not including contractual obligations).
- d) **Vital interests:** the processing is necessary to protect someone's life.
- e) **Public task:** the processing is necessary for the school to perform a task in the public interest or for the school's official functions, and the task or function has a clear basis in law.
- f) **Legitimate interest:** the processing is necessary for the school's legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

In addition, concerning any special category data:

Article 9 of the GDPR sets out the special category conditions. If the school is processing special category data we need to meet a special category condition in addition to the legal basis identified above:

- The data subject has given explicit consent
- Necessary to protect the vital interests where the data subject is physically or legally incapable of giving consent
- The data has been made publically available by the data subject
- Processing is carried out by a foundation or not-for-profit body in the course of its legitimate activities
- Necessary to process legal claims
- Necessary for archiving statistical or historical research which is in the public interest
- Necessary for reasons of substantial public interest on the basis of U.K. law which shall be proportionate to the aim pursued.

## Collecting pupil information

We collect pupil information via data collection sheets that are sent out to parents/carers at the start

of their child's school life and annually thereafter. In addition we receive information from previous schools or nursery via a secure, electronic common transfer file (CTF).

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

Parents/carers are required to update the school immediately if there is any change to circumstances.

## **Storing pupil data**

We hold pupil data securely for the whole time that the pupil is on roll at Devonshire Road Primary School. In some circumstances, we are required to store information beyond the date of leaving. Our data retention schedule is available, on request, from the school office.

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

We routinely share pupil information with:

- schools that the pupil attend after leaving us
- our local authority departments, specifically those who provide support services to schools
- the Department for Education (DfE)

We sometimes share information, where appropriate or when there is a legal obligation to do so with:

- the NHS
- police, courts and tribunals
- professional bodies
- suppliers of educational events or systems.

When sharing data with any outside agent, school obtains prior verification that the agent is GDPR compliant.

## **Why we regularly 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 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 Local Authority and the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

## 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 Ms K. Branagan, School Business Manager and DPO by email [branagank@devonshire.bolton.sch.uk](mailto:branagank@devonshire.bolton.sch.uk) or by telephone on (01204) 333614.

You also have the right to:

- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you
- claim compensation for damages caused by a breach of the Data Protection Regulations.

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

## Contact

If you would like to discuss anything in this privacy notice, please contact:

- Ms K. Branagan, School Business Manager (DPO) by email [branagank@devonshire.bolton.sch.uk](mailto:branagank@devonshire.bolton.sch.uk) or by telephone on (01204) 333614.

For further information on data held by the Local Authority, contact:

- Information Management Unit, Department of People, Bolton Council, 1<sup>st</sup> Floor, Town Hall, Bolton, BL1 1UA. Website [www.bolton.gov.uk](http://www.bolton.gov.uk) , email@ [ec.imu@bolton.gov.uk](mailto:ec.imu@bolton.gov.uk)

## How Government uses your data

The pupil data that we lawfully share with the the Department for Education (DfE) through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school SATs results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school).

## Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (DfE) (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

## The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

The NPD is owned and managed by the Department for Education (DfE) 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 for Education (DfE).

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.

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

## Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department for Education's (DfE) NPD data sharing process, please visit:

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

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfe-external-data-shares>

## **How to find out what personal information the Department for Education (DfE) holds about you**

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>