

Data Protection and Privacy Notices

Downs Infant 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, address and contact details for parents/carers)
- 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; both 'summative' (assessments of how a pupil is doing in relation to age-related expectations) and 'formative' (what they need to do to develop further)
- Relevant medical information
- Information on Special Educational Needs
- Information on behaviour, including allegations of bullying, or relating to exclusions

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 collect and use pupil information under the Education Act 1996. Personal data is processed under Article 6 of the General Data Protection Regulation (GDPR), in particular under the lawful basis of performing our task of providing education in the public interest. Special category data is processed under Article 9 of the 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 duration of their enrolment with our school. We are developing our data retention policy which will have four levels of data retention:

- Data which is required while the pupil is at Downs Infant School under the requirements of Article 6 and Article 9 of the GDPR.

- Data which will be kept during the term following the child moving to a new setting to ensure a smooth handover.
- Data kept for 5 years after a child has left the school to support longer term but detailed analysis of progress, attainment, support for pupil groups etc. This will be subject to data 'blurring' through data minimisation and de-personalisation.
- Long term, until the pupil is 25 years of age or older, where detailed information about activities in school may form an important part of safeguarding for that individual.

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)

We may share information with other parties such as the School Nurse, however, we will inform you and you will have the opportunity to consent where this sharing of information is not covered on the grounds of reasons of public interest or safeguarding.

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>.

Downs Infant School Privacy Notice (How we use school workforce information)



The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, employee or teacher number, national insurance number)
- special categories of data including characteristics information such as gender, age, ethnic group
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- relevant medical information
- contact details including address, phone number, personal e-mail address and next of kin
- payroll information

Why we collect and use this information

We use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid
- protect the health and safety of staff, and contact next of kin in the event of an emergency

The lawful basis on which we process this information

We process this information under the Education Act 1996. Personal data is processed under Article 6 of the General Data Protection Regulation (GDPR), in particular under the lawful basis of performing our task of providing education in the public interest. Special category data is processed under Article 9 of the GDPR.

Collecting this information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

Storing this information

We hold school workforce data for the period of employment and in line with other regulations for the purposes of safeguarding, for example, we hold data on disciplinary proceedings until retirement age.

Who we share this information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- other organisations requesting references

Why we share school workforce information

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

Local authority

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Department for Education (DfE)

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Data collection requirements

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal 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 securely store and handle the data

To be granted access to school workforce information, organisations must comply with its 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>

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

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact Dr Hildi Mitchell, Headteacher.



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 ask 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/>

Further information

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

Dr Hildi Mitchell, Headteacher.

LA Privacy Notice Link – Education & Skills

The Education and Skills Privacy notice can be found here:

<https://www.brighton-hove.gov.uk/content/about-website/service-privacy-notices/education-and-skills-service-privacy-notice>

And the link to the **full Brighton & Hove City Council privacy notice** is here:

<https://www.brighton-hove.gov.uk/content/about-website/privacy-and-cookies>

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