

Privacy Notice (How we use pupil information)

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about pupils.

We, Eccleston Primary School, are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Mrs Sheryl Cardwell – Shard Business Services – dpo@shardbusinessservices.co.uk

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

- personal information, such as name, date of birth, unique pupil number, address
- characteristics, such as ethnicity, language, nationality, birth country, free school meal eligibility
- special categories of data including characteristics information such as gender, age, ethnic group
- attendance information, such as sessions attended, number of absences, reasons for absences
- assessment information, such as current pupil progress, predicted process, tests or exams
- relevant medical information including any conditions or allergies the pupil may have
- Disability and access requirements
- SEN information, including specific needs, funding received, statements of individual need, EHCP
- Behavioural information, such as incident reports and exclusion information
- Pastoral and safeguarding information, such as court orders or notes on home visits
- Images (where consent is given)

This list is not exhaustive. For access to the current list of information we process, please contact us.

Why we collect and use this information

We use pupil data for the following purposes:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral and medical care
- For safeguarding and welfare purposes

- To assess the quality of our services
- To keep children safe
- To comply with the law regarding data sharing and meet statutory obligation placed on us to share with DfE and LA

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds, which justify the school's use of your data.

The lawful basis on which we process this information

We process this information under the lawful basis for collecting and using pupil information for general purposes under Article 6(1) and Article 9(2) of the UK GDPR.

Most commonly, our lawful bases for processing information are as follows:

- consent: the individual has given clear consent to process their personal data for a specific purpose;
- legal obligation: the processing is necessary to comply with the law (not including contractual obligations)
- public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law.

Where special category data is concerned, we will only do so if one of the following additional conditions for processing:

- (a) explicit consent
- (b) employment, social security, and social protection
- (c) vital interests
- (d) not-for-profit bodies
- (e) made public by the data subject
- (f) legal claims or judicial acts
- (g) reasons of substantial public interest (with a basis in law)
- (h) health or social care (with a basis in law)
- (i) public health (with a basis in law)
- (j) archiving, research, and statistics (with a basis in law)

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 pupil information to us or if you have a choice in this.

We collect personal information via:

- application forms
- Arbor

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

Storing pupil information

We hold data securely for the set amount of time shown in our data retention schedule.

We keep personal information about our pupils while they are enrolled at our school. We may also keep it beyond their enrolment at our school if this is necessary in order to comply with our legal obligations, such as safeguarding information. We follow the guidance outlined in the *Information and Records Management Society's toolkit for schools* and this sets out how long we keep information about our pupils.

Who we share pupil information with

We routinely share this information with:

- Lancashire County Council
- OFSTED
- the Department for Education (DfE)
- Lancashire County Council Service providers
- Health authorities
- Suppliers and service providers – to enable them to provide the service we have contracted them for such as safeguarding software
- Security organisations
- Health and social welfare organisations, such as NHS and social services
- Professional advisers and consultants
- Charity and voluntary organisations
- Police forces, courts and tribunals

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.

Local authority

We are required to share information about our pupils with our local authority (LA) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Department for Education

We share personal data with the Department for Education (DfE) on a statutory basis.

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

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under the following:

- Section 29(3) and section 537A of the Education Act 1996
- The Education (School Performance Information)(England) Regulations 2007
- Regulations 5 and 8 of the School Information (England) Regulations 2008
- The Education (Pupil Registration) (England) Regulations 2006
- Section 83 of the Children Act 1989 (for monitoring and research purposes); and
- section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013 for school censuses.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section. For privacy information on the data the Department for Education collects and uses, please see: <https://www.gov.uk/government/publications/privacy-information-early-years-foundation-stage-to-key-stage-3>

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 Mrs A Duckworth 01257 451114 or by email bursar@eccleston.lancs.sch.uk You also have the following rights:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'.
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request.
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- the right to ask us to delete your personal information – this is called 'right to erasure'

- the right to ask us to stop using your information – this is called ‘right to restriction of processing’.
- the ‘right to object to processing’ of your information, in certain circumstances
- rights in relation to automated decision making and profiling.
- the right to withdraw consent at any time (where relevant).
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don’t haven’t the right to object, but you have the right to withdraw consent.

If you have a concern 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 [raise a concern with ICO](#).

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.

Further information

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

Mrs A Duckworth 01257 451114 or by email bursar@eccleston.lancs.sch.uk

Updated December 2024

How Government uses your data

The pupil data that we lawfully share with 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 GCSE 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)

The NPD is owned and managed by the Department for Education (DfE) and contains information about pupils in schools in England. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The data in the NPD is provided as part of the operation of the education system and is used for research and statistical purposes to improve, and promote, the education and well-being of children in England.

The evidence and data provide DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-npd-privacy-notice/national-pupil-database-npd-privacy-notice>

Sharing by the Department for Education (DfE)

DfE will only share pupils' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, 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 UK GDPR, 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>

or

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

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