

# HIGHER WALTON CE PRIMARY SCHOOL

## Privacy Notice (How we use pupil information)

Higher Walton CE Primary School is the data controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed. Mrs Sue Rourke acts as a representative for the school with regard to its data controller responsibilities. She can be contacted on 01772 335945 or [bursar@walton.lancs.sch.uk](mailto:bursar@walton.lancs.sch.uk).

In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school outsources data to a third party processor, the same data protection standards that Higher Walton CE Primary School upholds are imposed on the processor.

Mrs Vicki Clarke ( Head Teacher) is the Data Protection Officer. Their role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the GDPR. The data protection officer can be contacted on 01772 335945 or [head@walton.lancs.sch.uk](mailto:head@walton.lancs.sch.uk).

### **THE CATEGORIES OF PUPIL INFORMATION THAT WE COLLECT, HOLD AND SHARE INCLUDE:**

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Parents contact information such as address, mobile numbers, telephone numbers, email addresses
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as National Curriculum assessment results)
- Relevant medical information given to us by parents and other third parties such as NHS Trusts, GPs and allied medical professionals (such as physiotherapists, sight and hearing impaired professionals, Cahms)
- Preferred characteristics such as being a vegetarian; faith preference
- Information relating to Special Educational Needs and Disability (such as Education and Health Care plans and Individual Education Plans)
- Behaviour information (such as exclusions)
- Family names and emergency contact details

### **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 safeguard pupils

### **THE LAWFUL BASIS ON WHICH WE USE THIS INFORMATION**

We hold the legal right to collect and use personal data relating to pupils and families, and we may also receive information regarding them from their previous school, LA and/or the DfE.

We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- **Article 6 and Article 9 of the GDPR**

We collect and use pupil information under one of the following conditions under GDPR:

- The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent** (Article 6a)
- The data needs to be processed so that the school can **fulfil a contract** with the individual, or the individual has asked the school to take specific steps before entering into a contract (Article 6b)
- The data needs to be processed so that the school can **comply with a legal obligation** (Article 6c)
- The data needs to be processed to ensure the **vital interests** of the individual e.g. to protect someone's life (Article 6d)
- The data needs to be processed so that the school, as a public authority, can perform a task **in the public interest**, and carry out its official functions (Article 6e)

Legal bases for processing Special Category (sensitive data) which schools may use are listed in Article 9 (processing of special categories of data), paragraph 2 – the relevant bases being;

- The processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or data subject in the field of **employment and social security and social protection law** (Article 9(2)b)
- The processing is necessary to protect the **vital interests of the data subject** or of another natural person where the data subject is physically or legally incapable of giving consent; (Article 9(2)c)
- The processing is necessary for reasons of substantial **public interest** and proportionate to the aim pursued. (Article 9(2)g)

#### • **Education Act 1996**

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

#### • **Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013**

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy (shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

#### • **Children's Act 1989**

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

### **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. Where consent is required, the school will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used. Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

### **STORING PUPIL DATA**

We hold pupil data in accordance with the Information and Records Management Society's Toolkit for Schools. In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

### **WHO WE SHARE PUPIL INFORMATION WITH**

We routinely share pupil information with:

- schools that the pupil attends after leaving us
- our local authority
- the Department for Education (DfE)
- NHS/school nurse
- Children's Social Care
- Child Action North West
- Educational Psychologists – Lancashire and Private
- Children and Family Wellbeing Service
- Specialist Teachers/Educational Consultants
- Lancashire Child, Adolescent Mental Health Service (CAMHS)
- Lancashire Care NHS Trust
- Parentmail
- School Trip and Residential Providers
- Nessy Learning Platform
- Spelling Shed ( Edshed)
- Timestable rockstars
- Wonde – Sims links to website and learning
- South Ribble Active Schools and other sports providers ( Eg Kick On Coaching)
- Literacy Tree
- Class Dojo
- Kapow
- Swimming coaches run through school
- NFER
- Testbase
- Boxall profile/ SEND reporting
- Local newspapers (photo data only)
- Tempest ( school photograph provider)
- Office 365 system
- Our cluster of schools (Leyland Heads)
- Sonar
- Education Digital Services (LCC)
- Apple configurator – admin host of ipads in school
- PE Passport (online sports portal)
- Schudio website hosting
- Enrichment sessions at other schools

### **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>.

### **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 <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>

## **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 Mrs S Rourke, Bursar/Office manager.

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:

**Mrs S Rourke  
Bursar/Office Manager  
Higher Walton CE Primary School  
Rosewood Avenue  
Higher Walton  
Preston  
PR5 4FE**

**Telephone: 01772 335945  
Email: [bursar@walton.lancs.sch.uk](mailto:bursar@walton.lancs.sch.uk)**