

# Kirkbride Primary School

## Privacy Notice (How we use of pupil information)

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

- Personal information (name, unique pupil number and address)
- Characteristics (ethnicity, language, nationality, country of birth and free school meal eligibility & Pupil Premium Grant eligibility)
- Attendance information (sessions attended, absences and absence reasons)
- Assessment information – to track progress being made
- Medical information
- Special educational needs information
- Exclusions - fixed term or permanent
- Behavioural information

### Why we collect and use this information

We use the pupil data:

- to support learning
- to monitor and report on progress
- to provide appropriate pastoral care and/or welfare arrangements
- to monitor & support regular attendance
- to assess the quality of our services
- to comply with the law regarding data sharing

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

To process a piece of personal data we must satisfy at least one condition for the lawful processing of personal data from Article 6 of the GDPR set out in the table below.

<b>6(1)(a)</b>	Consent of the data subject.
<b>6(1)(b)</b>	Necessary for the performance of a contract with the data subject or to take steps to enter into a contract.
<b>6(1)(c)</b>	Necessary for compliance with a legal obligation.
<b>6(1)(d)</b>	Necessary to protect the vital interests (life) of a data subject or another person.
<b>6(1)(e)</b>	Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
<b>6(1)(f)</b>	Necessary for legitimate interests of the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject ( <u>not</u> available to processing carried out by public authorities in the performance of their tasks).

We rely on different conditions for the lawful processing of personal data for different things.

## **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 only keep personal data for as long as we need it. How long that is will depend on the circumstances and the reasons we obtained it. We will generally follow the guidelines set out in the current Information and Records Management Society 'Toolkit for Schools' and we will specifically follow requirements placed on us by the Local Authority and Local Children's Safeguarding Board in particular.

We typically retain pupil data and data about their family and other involved professionals until they leave us. Otherwise we retain it for a few days or weeks e.g. trip consent forms, or for 3-50 years depending on whether it is education related or incident related.

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

We share pupil information with:

- schools that the pupil's attend after leaving us
- the local authority & agencies within it such as Social Care (part of CCC Children's Services)
- the Department for Education (DfE)
- NHS – on request

## **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 D. A. Maxwell – Data Protection Officer**.

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 D.A.Maxwell– Data Protection Officer**.