

# St John's Green Primary School

Learn to Live, Live to Learn

## Privacy Notice (How we use pupil information)

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

*Please be advised that not all of this data is shared with everyone listed. We only share data required for that particular function and only the minimum required.*

- Personal information (such as name, unique pupil number and address)
- 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 (such as how a child is performing academically against the EYFS profile and the National Curriculum)
- Medical information (such as dietary needs, physical disability)
- Special Educational Needs information
- Behavioural information
- Child Protection information (such as child protection concerns, social care referrals, family support)

### Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to support parents and families
- 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

a. Personal Data can be lawfully processed for the using the following conditions:

- i. Consent
- ii. Necessary to perform a contract obligation
- iii. Blue light emergency services
- iv. Statutory Duty
- v. Legitimate Interests

b. Sensitive Personal Data can be lawfully processed for the using the following conditions:

- i. Explicit Consent
- ii. Employment, Social Security, Social Protection
- iii. Blue light emergency services
- iv. Legitimate Activities of 'charities/not for profit' organisations
- v. Made Public by the person
- vi. For legal defence/claims
- vii. Substantial Public Interest
- viii. Health & Social Care provision and management
- ix. Pan UK Public Health (Epidemics)
- x. Archiving for scientific/historical research or statistical purposes

Legitimate Interests cannot be used as a processing condition other than in exceptional circumstances

Any country outside of the European Economic Area (EU countries, plus Iceland, Lichtenstein and Norway) is not considered to have the same legal protections as the UK

The right to inform requires you to tell people about how their rights are managed including if information is rectified, modified, erased or restricted

The right to access means you must be able to provide a copy of a person's data to them upon written request

The right to rectify requires you to correct inaccurate data. This may not always be possible if it relates to an official record or a professional opinion recorded by your staff. If this is the case you should not tick this box

The right to erasure requires you to securely destroy the data you hold. This may not always be possible if it relates to an official record or a professional opinion recorded by your staff. If this is the case you should not tick this box

The right to restrict requires you to stop processing data (other than keeping it secure) whilst a complaint is resolved. This may not always be possible if it relates to an official record or a professional opinion recorded by your staff.

The right to Data Portability only applies when a service is based on 'Consent' and then only if it involves technology

The right to object requires you to stop using the data for the purposes for which it was collected. This does not apply to any legal obligations to process the data, but does apply for any processing under Consent, e.g. marketing or profiling

The right to refuse automated decision making means if a computer makes a decision about how you will deliver a service to a person; they have the right to request the decision to be made by a human Being.

## 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 until the child transfers to another educational setting.

## Who we share pupil information with

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)
- other education providers and regulatory bodies

## 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:

Office Administrator

St John's Green Primary School

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:

Headteacher

St John's Green Primary School