

## Privacy Notice – Parents and Carers



<b>Formally adopted by the Governing Board of:-</b>	<b>Stoke Holy Cross Primary</b>
<b>On:-</b>	<b>February 2020</b>
<b>Chair of Governors:-</b>	<b>Steve Hurrell</b>
<b>Last updated:-</b>	<b>May 2017</b>

## Privacy Notice (How we use pupil information)

**Stoke Holy Cross Primary School is the Data Controller for the use of personal data in this privacy notice.**

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.

### **The categories of pupil information that we process include:**

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address, identification documents, photographs)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, physical and mental health information, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, KS2 results and any relevant results, curricular records)
- behavioural information (such as exclusions and any relevant alternative provision put in place, care packages, plans and support providers)
- trips and activities (clubs, sporting events, intervention groups)
- catering and free school meal management

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

### **Why we collect and use pupil information**

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to protect pupil welfare
- e) to carry out research
- f) to assess the quality of our services
- g) to keep children safe (food allergies, or emergency contact details)
- h) to meet the statutory duties placed upon us by the Department for Education and the law regarding data sharing

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information are:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests

(or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

## Collecting pupil information

We collect pupil information via registration forms at the start of the school year, Common Transfer File (CTF) or secure file transfer from previous schools.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

## Storing pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit our website and our Data Protection policy.

## Who we share pupil information with

We routinely share pupil information with:

- Our local authority (Norfolk County Council) — to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- The pupil's family and representatives
- Educators and examining bodies
- Our regulator, e.g. Ofsted
- Suppliers and service providers — to enable them to provide the service we have contracted them for (e.g. ELearning)
- Central and local government pupils eligible for Free School Meals)

- Our auditors (e.g. number of Pupil Premium children, Free School Meals)
- Survey and research organisations (anonymised data)
- Health authorities (e.g. safeguarding concerns)
- Health and social welfare organisations (e.g. safeguarding concerns)
- Professional advisers and consultants (e.g. safeguarding concerns)
- Charities and voluntary organisations (e.g. when making bids for grants or applying for funding for subsidising school trips)
- Police forces, courts, tribunals (e.g. a legal requirement)

## Why we regularly 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.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

### Department for Education

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:

Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013

All data is transferred securely and held by 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.

### Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the [Schools Admission Code](#), including conducting Fair Access Panels.

## Requesting access to your personal data

Under GDPR, 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 the School Office or Data Protection Education, our data protection officer.

Depending on the lawful basis above, you may 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
- a right to seek redress, either through the ICO, or through the courts

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 <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

## **Withdrawal of consent and the right to lodge a complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting **the School Office**

## **Last updated**

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on **January 2017**.

## **Contact**

If you would like to discuss anything in this privacy notice, please contact: the School Office.

## How Government uses your data

The pupil data that we lawfully share with the 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 (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

## The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

## Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- 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's 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 DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department 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 DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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