

## Privacy Notice (How we use pupil information)

**Sandown Primary School** processes personal information about its pupils and is a 'data controller' for the purposes of Data Protection legislation. We collect information from you and may receive information about your child from their previous school.

### 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)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Safeguarding information (such as court orders and professional involvement)
- Special educational needs (including the needs and ranking)
- Medical and administration (such as medical conditions, including physical and mental health, doctors information, dental health, allergies, medication and dietary requirements)
- Assessment and attainment (such as key stage 1 and phonics results, results of internal assessments and external set tests)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Details of any support received, including care packages, plans and support providers
- Photographs
- Historic information (e.g. images of major events) for the school archive.

### Why we collect and use this 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:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to keep children safe (food allergies, or emergency contact details)
- to assess the quality of our services
- to meet the statutory duties placed upon us
- to ensure children have appropriate access to healthcare
- to contribute to the school archive

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

Under the General Data Protection Regulation (GDPR), the school is required to identify a valid lawful basis for each processing activity involving personal data. We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We have to collect and process personal data to enable us to comply with a legal obligation.(Article 6.1.c.)
- We need it because we are acting in the public interest or exercising our official authority.(Article 6.1.e)

We may also process pupils' personal data in situations where:

- We have obtained consent from you to use it in a certain way.
- We have a genuine and legitimate reason and we are not harming any of your rights and interests.

As a school, we also collect and use special category data, both to provide education and comply with our legal obligations. We have therefore identified additional lawful bases from Article 9 of the GDPR. Most commonly, we process special category data where:

- We have gained explicit consent for the processing.(Article 9.2.a)
- Processing is necessary for reasons of substantial public interest.(Article 9.2.g)
- Processing is necessary for obligations in the field of employment, including social security and social protection law. (Article 9.2.b)
- The data subject has manifestly made their personal data public (Article 9.2.e)
- Substantial vital interest (i.e a threat to someone's life) (Article 9.2.c)
- Processing is necessary for the establishment of legal claims (Article 9.2.f)
- Health care – for the purpose of preventive medicine, assessment of working capacity of an employee or the provision of health care. (Article 9.2.h)
- Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes.

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We have to collect and process personal data to enable us to comply with a legal obligation.
- We need it because we are acting in the public interest or exercising our official authority.
- We may also process pupils' data in situations where:
- We have obtained consent from you to use it in a certain way.
- We have a genuine and legitimate reason and we are not harming any of your rights and 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.

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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.

We do not process the data in any way that involves any automated decision making, including profiling.

## **How we collect pupil information**

We collect pupil information via registration forms at the start of the school year or Common Transfer File (known as CTF) or secure file transfer from a previous school. Data will be generated during a pupil's time at the school, attendance for example, and will be stored as below.

Pupil data is essential for the schools' operational use. 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 securely for the length of time outlined in our school retention schedule. The school retention schedule is available from the school office on (01424) 436983 if you would like more information about this.

Some data may also be held in order to contribute to the school archive. This is maintained as a resource to help inspire and equip current staff and pupils to understand and appreciate issues of identity, belonging and shared heritage; to prompt memories of school-life among many previous generations of school pupils; and to serve as a research resource for those interested in the history of our school and the community it serves. More information about the type of data held in the archive can be obtained from the school on request.

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

We routinely share pupil information with:

- Schools that the pupils attend after leaving us
- Our local authority
- The Department for Education (DfE)
- NHS and school nurse including health and social welfare organisations
- Ofsted
- The pupil's family and representatives
- Suppliers and service providers – to enable them to provide the service we have contracted them for

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- Educators and examining bodies
- Auditors
- Professional advisers and consultants
- Police forces, courts, tribunals

We do not share information about our pupils without consent unless the law and our policies allow us to do so.

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.

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. The LA may share limited information with the NHS to provide appropriate health care services.

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.

## 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 the school office.

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
- ask us for access to information about you that we hold.
- request we restrict the processing of your personal data (i.e permitting its storage but no further processing).
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics.
- not be subject to decisions based purely on automated processing where it produces legal or similarly significant effect on you.
- 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, 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/>

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

## **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 headteacher in writing at Sandown Primary School, The Ridge Hastings East Sussex TN34 2AA.

## **Data Protection Officer**

Peter Questier (East Sussex County Council, Information Governance Team. Children's Services)

However, please contact the school in the first instance if you have a query regarding this privacy notice or how your information is used.

## **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.

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>.

## **Sharing by the Department**

The law allows the Department to share information about our pupils from the NPD with certain third parties, including:

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- 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'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/dfе-external-data-shares>

## 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>

## 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 11<sup>th</sup> October 2019].