



## **PRIVACY NOTICE (How we use pupil information)**

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

- Personal information (such as name, unique pupil number, contact details and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Special Educational Needs information (such as needs and ranking, Individual Education Plans including targets and reviews, Speech and Language programmes and intervention monitoring)
- Relevant medical information (such as allergies, medical conditions, medication required, doctors information and dietary requirements)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment and attainment information (such as results of in school and statutory tests)
- Behavioural information (such as frequency and length of exclusions, behaviour logs and relevant alternative provision put in place)

### **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 reasons:

- to support pupil learning
- to monitor and report on pupil attainment and progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies or emergency contact details)
- to meet the statutory duties placed upon us by for Department for Education data collections

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

We collect and use pupil information under the General Data Protection Regulations (GDPR) Article 6 – 'Processing is necessary for the performance of a task carried out in the public interest' and Article 9 – 'For substantial public interest on a legal basis' and also under section 537A of the Education Act 1996.

### **Collecting pupil information**

We collect pupil information via registration forms completed at the start of the school year and updates provided throughout time at school, and Common Transfer Files (CTF) from previous schools.

Pupil data is essential for the school's 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 data protection legislation, we will inform you 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 a set amount of time shown in our data retention schedule. Our data retention schedule is written based on guidelines produced by the Information and Records Management Society to make sure we do not have possession of data for longer than is required.

We hold the following pupil data:

- Safeguarding and SEN data – 25 years after leaving the school
- General data – 5 years after leaving the school

For more information on our data retention schedule and how we keep your data space please see our Records Management Policy.

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

We routinely share pupil information with:

- schools that pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- the School Nursing Service and the NHS (For example Speech and Language)
- third party organisations offering pupil support and intervention (For example – Educational Psychologists or Babcock LDP services)
- Safeguarding Boards and the Police
- Our After School Provision Partner and Residential Settings we use

## **Why we share pupil information**

We do not share information about our pupils with anyone without consent unless the law and our policies require 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.

All data is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current Government security policy framework.

Under no circumstances will we sell or otherwise share information for marketing purposes.

## **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>.

### **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 upon the lawful basis above, you also have the right to:

- ask us for access to information about you that we hold
- have your personal data rectified, if it is inaccurate or incomplete
- request the deletion or removal of personal data where there is no compelling reason for its continued processing
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research/statistics
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means

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 the Government uses your data' section of this notice.

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

On occasions we will ask for your consent to process your personal data. Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or are unhappy with our use of your personal data, please let us know by contacting our Data Protection Officer, contact details are at the end of this notice.

### **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 in May 2022.

### **Contact**

If you would like to discuss anything in this privacy notice, please contact:

Judith Harris – Data Protection Officer

Hayward's Primary School

01363 772970 or [jharris@haywards.devon.sch.uk](mailto:jharris@haywards.devon.sch.uk)

## How the Government uses your data

The pupil data that we lawfully share with the Department for Education 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' education policy 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 onto be held on the National Pupil Database.

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 for Education

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

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of pupils in England
- other Government departments and agencies
- organisations fighting or identifying crime

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>

Organisations fighting or identifying crime may use their legal powers to contact the DfE to request access to individual level information relevant to detecting that crime.

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 the 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 the Department for Education holds 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>