



# School Policy



## Privacy Notice: Pupils

Autumn 2020

Appendix 1 – Updated June 2020

# Privacy Notice (How we use pupil information)

Lightmoor Village Primary School is the Data Controller for the use of personal data in this privacy notice

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

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- 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, 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, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- catering ( such as FSM eligibility, start and ends dates)
- Trip and activities (information is processed and shared with activity centres etc to ensure optimum safety for our pupils)

This list is not exhaustive, to access the current list of categories of information we process please see Record of Processing Activity on TDrive.

## 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 assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us by the Department for Education

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

- the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- processing is necessary for compliance with a legal obligation to which the controller is subject;
- processing is necessary for reasons of substantial public interest

In addition, concerning any special category data:

- Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

## Collecting pupil information

We collect pupil information via admission forms, FSM forms, emails from parents/carers/professionals and verbally.

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 see Data Retention Policy and Schedule on TDrive.

## Who we share pupil information with

We routinely share pupil information with:

- schools
- local authorities
- healthcare and other professionals as deemed appropriate by the Headteacher.
- the Department for Education (DfE)

## 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. We share information for the health and well being of pupils as well as for monitoring their progress and attainment. Any information that is shared with our professionals or organisations is done so via encrypted email or in person where applicable.

## 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 Business Manager on 01952 387633.

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 Business Manager on 01952 387633

## 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: September 2019

## Contact

If you would like to discuss anything in this privacy notice, please contact: the School Business Manager on 01952 387633

## 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/dfе-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>

## Appendix 1

# Temporary Changes to Schools Student/Parent Privacy Notice due to response to Covid-19 (Coronavirus)

### 1. Purpose

The purpose for which we are processing your personal data is to operate the Schools response to the coronavirus (Covid-19) public health epidemic. This will involve the dissemination and gathering of information.

While it is not possible to give an exhaustive list in the current fast developing circumstances, examples include communicating public health advice, dealing with enquiries, collecting and disclosing contact details of academics or medical professionals as well as details of suppliers or prospective suppliers.

### 2. The data

We will process the following personal data if applicable:

- your name
- your home address
- your email address
- your phone number including landline and/or mobile phone numbers (if applicable)
- other data you volunteer

We may also process other information where necessary and proportionate.

We may also process special category data regarding your health.

### 3. Legal basis of processing

The legal bases for processing your personal data are:

- it is necessary for the performance of a task carried out in the public interest
- it is necessary to protect the data subject's vital interests, or the vital interests of another person

Our legal basis for processing any special category data is:

- it is necessary for reasons of substantial public interest for the exercise of a function of a Minister of the Crown, or a government department.

### 4. Recipients

Where necessary and proportionate, your personal data may be shared with other public bodies including government departments, government agencies and executive agencies.

## **5. Retention**

Relevant personal information is held only for the purposes of this privacy notice will not be held more than one year unless it needs to be retained in the public interest, for legal reasons or for historical record.

## **6. Sources of information**

Information may be obtained from other data controllers where necessary and proportionate.