

# **Brookside Primary School**

## **Privacy Notice (How we use pupil information)**

We collect and use pupil information under the GDPR 2018, particularly under Article 6, where the information is collected and used because it is required by our school in order to carry out the task of education and ensuring the welfare of our pupils.

We also collect and use pupil information to help pupils with additional special needs and requirements, so that we can ensure we offer the best possible support and resources to them (and their parents) during their time in our school.

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

- Personal information (such as name, unique pupil number and address; parental information; emergency contact information)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility and eligibility for Pupil Premium)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Medical information (such as name of GP, consultant, relevant medical information)
- Behavioural information (such as behaviour incident, exclusions)
- Assessment information (such as national curriculum assessments)
- Special educational needs information
- Safeguarding information (such as documents shared by Children's Social Care and Thames Valley Policy)
- School history (such as where pupils have moved from or when they go when they leave us)
- Photographs of pupils and their work
- Data about pupils use of the school's IT systems

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

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies and emergency contact details)
- to comply with the law regarding data sharing

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

We collect and use pupil information to meet legal requirements and legitimate interests set out in the Education Act 1996 and Regulation 5 of the Education Regulations 2013. To

conform with GDPR, any information the school processes fulfils one of the following requirements from Article 6 of the GDPR:

- 1(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
- 1(c) processing is necessary for compliance with a legal obligation to which the controller is subject.
- 1(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person.
- 1(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
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Where we process special categories of personal data we do so under obligations covered in Article 9 of GDPR:

- 2(g) the processing is necessary for reasons of substantial public interest.
- Where the above do not apply the school will seek consent for specific purposes in line with the following Article 6.1.a.
- 1(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes.

This will be done in writing and will clearly define any other uses of personal information and ask for consent for each and every use.

### **Collection 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 for the time pupils are in school and beyond as appropriate (see Record Management Policy)

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

We routinely share pupils information with:

- Schools that pupil's attend after leaving us
- Local authority and Thames Valley Police
- Department for Education (DfE)
- School nurse
- Outside educational and health professionals such as the educational psychologist, the speech and language therapist, specialist teaching services, Northern House outreach

We also provide pupil level personal data to third party organisations which supply services to us for which the provision of the data is essential for the service to be provided. Decisions on whether to release this data are subject to a robust approval process, including the arrangements in place to store and handle the data.

We currently provide pupil level data for the following purposes:

- Systems integral to the delivery of core business services, for example, Integris, ParentPay,
- Systems integral to the operation of IT Services systems
- Curriculum products, for example, Times table Rockstars, MyMaths, Junior Librarian,
- A full current list is available on request

## **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.

## **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 headteacher

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
- a right to seek redress, either through the ICO, or through the courts

If you have a concern or complaint 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/>

## **Contact**

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

## **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>

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