Pupil Privacy Notice (How we use pupil information)

When your child starts at school and, as they continue to progress through the education system, we ask for and collect data in order to fulfil certain legal obligations and to support your child with their education, as well as their personal and social development. We take our responsibilities in this respect very seriously and your data is only shared with outside authorities where we are either legally required to do so, or to inform other agencies who are also involved in supporting your child whilst at school. There may also be times where medical information needs to be shared in the event of an emergency.

We have policies and procedures in place to ensure that we store and transmit all data in a secure way to protect your child's rights.

The purpose of this letter is to inform you about the data we hold, who we share it with, why we share it and how long we retain it all. We are also, by law, required to advise you of the 'lawful basis/bases' under which we collect and process the data, as defined by the 'General Data Protection Regulations Act (GDPR)'.

The data that we collect about your child is defined by the GDPR as 'personal data' and in some cases is also called 'special category data', data which is perceived as being more sensitive (e.g. data on ethnicity and religion as well as medical data).

The categories of pupil information that we collect, hold and share for all pupils include:

- **Personal information:** such as name, unique pupil number, address and date of birth

- **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 and any exclusions
- **Medical information**: such as allergies, medical conditions, disabilities, physical and mental developmental difficulties, doctor's contact details
- **Educational information**: such as school reports, assessment data, exam and test results

In addition, for some children we will also collect, hold and share data which includes:

- **Educational information**: such as information on their Special Educational Needs , reports and support provided by external agencies and 'Educational Health Care Plans'
- **Data on behaviour**: such as data on any exclusion and/or records of any major breaches of school policy
- **Data on Safeguarding**: such as concern sheets and Child Protection Plans

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 comply with the law regarding data sharing
- to support the work of other external organisations involved in the support of your child

In addition, throughout the school year we also take photograph and videos of pupils which are used:

-        for displays around the school

-        within our school prospectus and on our school website

-        reports for sporting events, school plays or other purposes within school publications and the general media

The lawful basis on which we use this information

We collect and use 'personal data' under the following 'lawful basis', as defined within the GDPR:

-    to fulfil our duties as a public authority, which is defined as our **'public task'**
-    in order to ensure that we provide your child with the right level of support in order for them to progress well during their time at school, which is defined as our **'legitimate interest'**
-    in the case of an emergency where your child might be in need of medical help and we are unable to contact you, which is defined as their **'vital interest'**

We collect and use 'special categories of personal data' under the following 'lawful bases' as defined within the GDPR:

-    Article 9(2)(a): where you have understood the reason for us requesting the data and have given your consent to us doing so for the purpose specified
-    Article 9(2)(b): where processing is necessary for the purposes of carrying out the obligations in the area of social protection law

- Article 9(2)(c): that processing is necessary to protect the vital interests of your child or of another persona where you or your child are physically or legally unable to give consent.
- Article 9(2)(d): that processing is carried out in the course of our legitimate activities, with appropriate safeguards

For the taking and use of photographs and/or videos or pupils our lawful basis as defined within the GDPR is 'consent'. We will write to you when your child starts at our school to ask for your consent.

Collecting 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 the majority of pupil data for the time that your child remains at our school. When they transfer to another primary school and/or on to a secondary school, their data is also transferred. Their final school will hold the majority of pupil data (contained within their individual pupil files) until they reach the age of 25. Some data is held for a shorter period of time and is thereafter destroyed.

Who we share pupil information with

We routinely share pupil information, as appropriate, with:

Department for Education (DfE) and associated services
Institutions within the education sector (e.g. receiving secondary schools)
Wiltshire Local Authority
School Nursing Service and other health services (e.g. ambulance)
SENDS Services
Social Care and associated services
Police
ParentMail and ParentPay (electronic school/parent communication)

Why we 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 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

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 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.

The National Computer Database
The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

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

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:
https://www.gov.uk/government/publications/national-pupil-database-requests-received

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

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
- claim compensation for damages caused by a breach of the Data Protection regulations

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/

Contact

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

Updated July 2021