

GDPR PRIVACY NOTICE

For pupils and their families.

This Privacy Notice describes how we collect and use personal information about pupils, in accordance with the UK General Data Protection Regulation (UK GDPR) section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

Following Brexit, Regulation (EU) 2016/679, GDPR is retained EU law and known as UK GDPR. The UK GDPR sits alongside a amended version of the Data Protection Act 2018 that relates to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

How we use Pupil information

Which data is collected?

The categories of pupil information that the school collects, hold and share include the following:

- Personal information – e.g. name, unique pupil number, contact details and addresses.
- Characteristics - e.g. Ethnicity, language, nationality, country of birth and free school meal eligibility.
- Safeguarding information – e.g. court orders and professional involvement
- Relevant medical information including dietary requirements and allergies.
- Attendance information –e.g. sessions attended, number of absences, absence reasons including unauthorised absences.
- Assessment and attainment – e.g. national curriculum assessment results
- Behavioural information – e.g. number of temporary exclusions
- Special educational needs
- Information on accidents
- Prevent and racist incidents

Why we collect and use pupil information?

St Mary's CE(A) First School holds the legal right to collect personal data relating to pupils and their families, and we may also receive information regarding them from previous school, Local Authority and/or Department for Education (DfE). We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and United Kingdom law.

We collect and use pupil information, for the following purposes:

- to support pupil learning
- to monitor and report on pupil attainment progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to provide pupils with appropriate medical support
- to safeguard and protect all pupils
- to access support from external agencies
- to monitor attendance
- to manage a range of processes – school dinners, trips, visits, emergencies and text to parents
- to meet the statutory duties placed upon us for DfE data collections

The lawful basis on which we use the information.

We lawfully collect and use pupil information under Article 6 and Article 9 of the GDPR from 25 May 2018, which are an amendment to the Data Protection Act 1998. Under:

Article 6 our basis for processing personal information is that is a legal obligation: the processing is necessary of the school to comply with the law.

Article 9 relates to special category data which is sensitive data so needs more protection. Our basis for processing this information is for e.g. special needs, dietary requirements. medical conditions.

How we collect pupil information

We collect pupil information via:

- Data collection sheet
- Import CTF file from your child's previous school
- Pupil records from incoming schools.

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 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.

How we store pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule.

Personal data relating to pupils at St Mary's CE(A) First School and their families is stored in line with the School's Data Protection Policy.

- Accident data and medicine details are kept for 25 years
- Examination results (SATs) are kept for the current year plus 6 years
- Correspondence on unauthorised and authorised absence are kept for 2 years after the date of absence.
- Child protection and pupil files including Special Education Needs and individual education plan are passed onto the next child's school. (if school unknown, date of birth plus 25 years)
- Admissions information is kept 1 year after the event and admission registers are kept for the date of last entry plus 6 years.
- Attendance registers are kept for 3 years
- Permission slips for trips are kept for the conclusion of the trip.

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)
- Health professionals – e.g. School nurse, Community Paediatric team
- Outside agencies –e.g. Local Support Teams, Specialists

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 the Local Authority (LA) and the DFE

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.

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. 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 section 3 of 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>

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)

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>

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/dfe-external-data-shares>

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 School Office. The data will be returned to you within one month of the request unless the request is made on the last day of the summer term.

You also have the right to:

- to ask us for access to information about you that we hold
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing.
- To restrict our processing of your data
- 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/>

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

Contact

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

Mrs J Moulton - Headteacher on 01889 228730 or dpo@staffordshire.gov.uk

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