

## **Privacy Notice: How we use Pupil Information at South Walney Junior School**

Under General Data Protection Regulations (GDPR), individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'Privacy Notices' (sometimes called 'Fair Processing Notices') to individuals where we are processing their personal data.

This Privacy Notice explains how we collect, store and use personal data about pupils.

We, South Walney Junior School, Amphitrite Street South, Walney Island, Barrow-in-Furness, Cumbria LA14 3BG, are the 'Data Controller' for the purposes of data protection law.

Our Data Protection Officer is Mr R Edwards.

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

- Personal identifiers and contacts (such as name, unique pupil number, contact details and preferences, and address)
- Characteristics (such as ethnicity, religion, 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 the need and ranking, EHCPs, applications for support, care or support plans)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication, and dietary requirements)
- Attendance information (such as sessions attended, number of absences, absence reasons, and any previous schools attended)
- Assessment and attainment (such as data scores, tracking and internal and external testing)
- Pupil and curricular records
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Photographs (for internal safeguarding and security purposes, school newsletters, media and promotional purposes)
- CCTV images captured in school for the purpose of site security and pupil welfare

This list is not exhaustive. The most current list of categories of information we process is held in the school's data asset register.

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

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

We collect and use pupil information to run school and manage pupils under section 537A of the Education Act 1996, under Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013, and under the Education (Pupil Registration) (England) Regulations 2006; and for monitoring and research under section 83 of the Children Act 1989.

We use pupil data mainly to:

- a) support learning,
- b) monitor and report on progress and provide data for national league tables,
- c) provide appropriate pastoral care,
- d) assess the quality of what we do,

- e) keep children safe e.g. food allergies, emergency contact details, CCTV,
- f) meet the statutory duties placed upon us for the Department for Education (DfE) data collections, and
- g) to record our own school history.

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

- 6(1)(e) to perform a task carried out in the public interest i.e. provide education.
- 6(1)(b) to enter into or carry out a contract e.g. provide meals, trips, transport, uniform, professional photos, childcare.
- 6(1)(c) to comply with the law e.g. recording attendance, publishing results, data sharing with child protection partners like social care, the NHS and the Local Authority etc.
- 6(1)(a) having your consent e.g. using images and names publicly.

When we process sensitive personal data like medical information we rely on the lawful bases:

- 9(2)(h) to prevent medical problems, assess needs, and to support health & social care services e.g. Education Health & Care Plans (EHCP), records of medicine administration.
- 9(2)(i) to improve public health e.g. we report contagious infections to Public Health England as required.
- 9(2)(f) to defend a legal claim against us e.g. some special educational needs and all accident records etc.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

This list is not exhaustive. For more information about the categories of information we process, please see our Data Protection Policy.

### **Collecting pupil information**

We obtain pupil information via registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from previous 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 provided to us on a voluntary basis. In order to comply with GDPR 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 keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. We have adopted the [Information and Records Management Society's toolkit for schools](#) which sets out how long we keep information about pupils. The law does allow us to retain personal data for archiving purposes in the public interest, or for scientific or historical research purposes or statistical purposes and we declare that we might do this in this Privacy Notice.

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

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. The laws listed above that require us to collect information also require us to share it.

We share pupil information with:

- Schools pupils go to after leaving us to support their continuing education.
- Child development and protection partners like Cumbria County Council Children's Services, Inclusion & Social Care etc. to check attendance, monitor and protect children; the NHS for medical referrals & support; private companies offering counselling and other family or support services.
- The DfE to help decide our school funding, monitor attainment & benchmark it nationally, compile league tables, develop national education policy and monitor it.
- Medical services like the school nurse or the NHS for things like screening, vaccinations, health/ eye/ dental checks, EHCP provision etc. and Public Health England about certain contagious infections our pupils come into contact with.
- Voluntary and charitable organisations (with your permission only), such as Barnardo's, our local Foodbank and similar organisations who can offer families practical help and support.

We may also share pupil information with:

- the pupil's family and representatives
- educators and examining bodies
- OFSTED
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Our auditors
- Security organisations
- Police forces, courts, tribunals
- Professional bodies

### **Department for Education (DfE)**

The DfE collects personal data from educational settings and local authorities via various statutory data collections. The law requires us to share information about our pupils with the 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 the section on 'How Government uses your data' below.

### **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 Mr R Edwards, Data Protection Officer on 01229 471447 or email [admin@swalneyj.cumbria.sch.uk](mailto:admin@swalneyj.cumbria.sch.uk).

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- 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 personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics

- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

## Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office at

<https://ico.org.uk/concerns/>

## 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 Mr Edwards on 01229 471447, or by emailing

[admin@swalneyj.cumbria.sch.uk](mailto:admin@swalneyj.cumbria.sch.uk).

## 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 on 5<sup>th</sup> February, 2019.

## Contact

If you would like to discuss anything in this Privacy Notice, please contact: our Data Protection Officer, Mr R Edwards, at the school on 01229 471447 or by emailing

[admin@swalneyj.cumbria.sch.uk](mailto:admin@swalneyj.cumbria.sch.uk).

## 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 use 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/national-pupil-database-requests-received>

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