

## **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**

The personal data collected is essential in order for the school to fulfil their official functions and meet legal requirements.

We collect and use the 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 and medical care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet statutory duties placed upon us

## The lawful basis on which we use this information

Under GDPR, the lawful bases we rely on for processing pupil information are:

- for the purposes of (a), (b), (c) & (d) in accordance with the legal basis of Public task: collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function
- for the purposes of (e) in accordance with the legal basis of Vital interests: to keep children safe (food allergies, or medical conditions)
- for the purposes of (f) in accordance with the legal basis of Legal obligation: data collected for DfE census information
  - Section 537A of the Education Act 1996
  - the Education Act 1996 s29(3)
  - the Education (School Performance Information)(England) Regulations 2007
  - regulations 5 and 8 School Information (England) Regulations 2008
  - the Education (Pupil Registration) (England) (Amendment) Regulations 2013

In addition, concerning any special category data:

- conditions a, b, c and d of GDPR - Article 9

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.

## Collecting pupil information

We obtain pupil information via registration forms at the start of each academic year. In addition, when a child joins us from another school we are sent a secure file containing relevant information.

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 routinely share pupil information with:

- schools that the pupils attend after leaving us
- our Local Authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- the Department for Education (DfE)

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
- Financial organisations
- Central and local government
- Our auditors
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with the data protection law.

### **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 are required to share information about our pupils with our Local Authority (LA) and the DfE for the purpose of data collections under:

- Section 537A of the Education Act 1996
- the Education Act 1996 s29(3)
- the Education (School Performance Information)(England) Regulations 2007
- regulations 5 and 8 School Information (England) Regulations 2008
- the Education (Pupil Registration) (England) (Amendment) 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 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> November, 2018.

## 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>