



# St James' CE Junior School

## Privacy Notice (How we use pupil information)

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

- Personal information (such as name, unique pupil number and address)
- 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)
- Assessment data (such as results and outcomes from internal and statutory external examinations and tests)
- Relevant medical information supplied by parents and medical professionals with parental permission
- Special Educational Needs and disabilities information (such as reports from the LA, SEND Team Professionals and Speech and Language Therapists)
- Information regarding behaviour (such as exclusions, letter to parents, internal behaviour monitoring)
- Child Protection information
- Photographs and video footage collected at school events

### 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 comply with the law regarding the protection of children
- to inform the local community (including parents) of the School and of the activities of the members of the School Community

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

We collect and use pupil information under the lawful basis as set out in Article 6.1 of the General Data Protection Regulation (GDPR 2018)

6.1.a Consent: The parents (the data subject on behalf of the pupil) I give consent to the processing of their son/daughter's personal data for one or more specific purposes (education).

6.1.b Necessary for the performance of a contract with the data subject or to take steps to enter into a contract.

6.1.c Necessary for compliance with a legal obligation

6.1.d Necessary to protect the vital interests of a data subject or another person

6.1.e Public Interest: Data processing by the School is necessary for the performance of a task carried out in the public interest (education).

Our lawful basis for collecting and processing pupil information information is also further defined under Article 9, in that some of the information we process is deemed to be sensitive, or special, information and the following sub-paragraphs in the GDPR apply:

9.2.a The data subject has given explicit consent.

9.2.b It is necessary to fulfill the obligations of controller or of data subject.

9.2.c It is necessary to protect the vital interests of the data subject.

9.2.d Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions)

9.2.g Reasons of public interest in the area of public health

9.2.i It is in the public interest

A full breakdown of the information we collect on pupils can be requested from the school office.

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

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.

An example of how we use the information you provide is:

*The submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under Section 537A of the Education Act 1996.*

*Putting the school census on a statutory basis:*

- *means that schools do not need to obtain parental or pupil consent to the provision of information*
- *ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils*
- *helps to ensure that returns are completed by schools*

## **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 pupil data securely for the time during which they are on roll at the School. Digital and physical files are then transferred to the child's new school when they leave. Some data will be retained after a child has left the School if the retention period extends beyond the date on which the child leaves the School:

- Records of complaints dealt with by the Governing Body – date of resolution +6 years
- Free School Meals Registers – current year +6 years
- Class records, books and marking – current year +1 year
- Assessment data held for accountability and comparison purposes – current year + years
- Multimedia data containing pupils – current year +6 years with some data retained for School historical archiving purposes

Physical files that are not passed on to next Schools and records that are not returned to the pupil are securely shredded. Computer media (hard drives, SD Cards etc.) holding pupil digital data that is obsolete or being repurposed will be disposed of by mechanical shredding or securely erasing.

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

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)
- school nurse and health professionals, with permission of parents

## **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 (Information About Individual Pupils) (England) Regulations 2013.

### **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)

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 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 Head Teacher in the first instance.

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 school's **Data Protection Officer - Veronica Warner, St James' CE Junior School, Blake Street, Barrow in Furness, LA14 1NY**

If your concern remains unaddressed, 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:

Miss A Rawlinson	Head Teacher
Mrs R Peacock	Data Protection Controller
Mrs C Newton	Data Protection Controller or
Mrs V Warner	Data Protection Officer