



Privacy Notice for Pupils and Parents/Carers

(How we use personal information)

Eling Infant School & Nursery is the Data Controller for the use of personal data in this privacy notice.

The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address, NI numbers and economic standing)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)

This list is not exhaustive, to access the current list of categories of information we process please contact the school's Data Protection Officer.

Why we collect and use pupil information

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

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

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services and how well our school is doing
- to keep children safe (food allergies, or emergency contact details)
- statistical forecasting and planning
- to comply with the law regarding data sharing

- to meet the statutory duties placed upon us by the Department for Education

The General Data Protection Regulation allows us to collect and use pupil information with consent of the data subject, where we are complying with a legal requirement, where processing is necessary to protect the vital interests of a data subject or another person and where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. When the personal information is Special Category Information, we may rely on processing being in the substantial public interest in addition to consent of the data subject and the vital interests of the data subject or another.

Our requirement for this data and our legal basis for processing this data includes the Education Act 1996, 2002 and 2011. The Children's Act 1989 and 2004, Education and Skills Act 2008, Schools Standards and Framework Act 1998 and the Equalities Act 2010.

The lawful basis for collecting and using pupil information for general purposes includes a basis from Article 6, which is c) processing is necessary for compliance with a legal obligation to which the controller is subject; and one from Article 9 which is (a) the data subject have given explicit consent to the processing of the personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject.

This is relevant where data processed is special category data.

Collecting pupil information

We collect pupil information via registration forms (both electronic and paper copies) at the start of the school year or Common Transfer File (CTF) or secure file transfer from previous education establishments. We also collect information via email. All information is stored electronically on a secure server.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it 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 and we will tell you what you need to do if you do not want to share this information with us.

Storing pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule compiled by Hampshire County Council. For more information on our data retention schedule and how we keep your data safe, please contact the school Data Protection Officer.

Who we share pupil information with

We routinely share pupil information with:

- schools that pupils attend after leaving us
- local authorities
- the Department for Education (DfE)
- professionals involved with safeguarding children
- professionals involved with meeting the medical, pastoral and educational needs of children

Why we regularly 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 pupil's data with the Department of Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

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.

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>.

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.

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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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 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>

Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under the Schools Admission Code, including conducting Fair Access Panels.

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 [setting to include details of their administrator / Data Protection Officer]

Depending on the lawful basis above, you may 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
- a right to seek redress, either through the ICO, or through the courts

If you have a concern 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.

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 Mrs Kirsty Oddy, School Business Manager & Data Protection Officer.

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 updated last on 12th November 2020.

Contact

If you would like to discuss anything in this privacy notice, please contact: Mrs Kirsty Oddy, School Business Manager & Data Protection Officer.

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 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.

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/dfe-external-data-shares>

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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