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## 2.0 Privacy Notice – Pupil & Family

### Federation of Penny Acres and Wigley Primary School

Version 1.2 (GDPR Team April 2021)

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<b>Reviewed By (Name)</b>	<b>David Ratcliffe</b>
<b>Job Role</b>	<b>Headteacher</b>
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<b>V1.2 February 2021</b>	

This document will be reviewed annually and sooner when significant changes are made to the law

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# **Privacy Notice (How we use pupil information) – For pupils and their families**

## **2.1 What this Privacy Notice is for**

The Federation of Penny Acres and Wigley Primary School collect, hold, use and share information about our pupils and their families. This is known as “personal data” and you have rights around that data, including knowing how and why we are processing the data. “Processing” data means from collecting, storing, using, sharing and disposing of it.

## **2.2 The types of information that we process**

- Personal information that identifies you, and your contact details. This includes name, date of birth, unique pupil number, photographs, contact details and address
- Attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Assessment and attainment (such as National curriculum assessment results e.g. Key Stage 2 results, exam results and student performance at different data collections, [post 16 courses enrolled for] and any relevant results)
- Extra-curricular and enrichment participation

## **2.3 Special category data**

- 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 information (such as Doctor’s information, child health, dental health, allergies, medication and dietary requirements)
- Funding (Free school meal, Pupil Premium, ESA, High Needs Funding and Catch Up Funding)

## **2.4 Why we collect and use pupil information**

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 keep children safe
- photographic images for identification purposes (safeguarding), and celebration purposes (to record work, classes and school events)
- to meet the statutory duties placed upon us by the Department for Education
- to comply with the law regarding data sharing

- for site security
- protect public monies against fraud
- to streamline systems

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

- Article 6(a) - Consent (for any processing which does not fall into the bases detail within this section below)
- Article 6(c) - Compliance and Legal Obligation

as set out in the Education Act 1996 (as amended). We are required to share information about our pupils with the (DfE) under regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. **In addition, there are extensive statutory obligations that a school is subject to – further details about these are available from our Data Protection Officer.**

- Article 6(e) - Public Interest

In addition, we rely on GDPR Article 9 and the Data Protection Act 2018 Schedule 1 Part 1 and Part 2 concerning any special category data (personal data that needs more protection because it is sensitive). Please refer to our Special Category Data Policy document for full details of these lawful bases for processing this data.

## 2.5 How we collect pupil information

We collect pupil information via admission forms completed by parent/carers when a student joins our School, data collection forms, information provided by; parent/carers, the previous school/provisions, local authorities, NHS, Police, the Department for Education (DfE) and by secure file transfer Common Transfer File (CTF).

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. We will let you know, when we ask you for data, whether you are required to provide the information and your rights in relation to this.

## 2.6 How and where we store pupil information

We securely store pupil information on the School's IT network which is held on the server on site. The school's pupil Management Information System is web based. Secure storage is provided for paper based records. We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please see the Federation policy - S39 Record Retention and Deletion Policy.

We are currently following the instructions of the [Independent Inquiry into Child Sexual Abuse \(IICSA\)](#) which states that student records should not be destroyed until this inquiry is complete.

## 2.7 Who we share pupil information with

We routinely share pupil information with:

- Schools that the pupils attend after leaving us
- Feeder schools

- Our local authority
- Other relevant local authorities
- Our Governing Body
- The Department for Education (DfE) Inc. Learner Record Services and the National Pupil Database
- Police
- NHS (agencies and services)/School Nurse
- External systems used by the School to carry out day to day processes and requirements. For example, and not limited to; SIMS, ParentMail, RM Integrus.

For a full list of the third parties we share with, please speak to the School Office.

## **2.8 International Transfers**

In connection with the purposes identified above, your personal information may be transferred outside the UK and the European Economic Area ('EEA'), including to the United States. Where information is transferred outside the UK or EEA that is not subject to an adequacy decision by the EU Commission, information is adequately protected by EU Commission approved standard contractual clauses or a vendor's Processor Binding Corporate Rules. For more information on the transfer mechanism used, please contact us at the details set out below.

## **2.9 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.

### **2.9.1 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:

For use by maintained schools only: 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.

### **2.9.2 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.

## **2.10 Requesting access to your personal data, and other rights**

Under data protection law, pupils have the right to request access to information about them that we hold, and in some cases, parents can make the request on the pupil's behalf. Parents also have the right to access their child's educational record.

You also have the right to:

- be informed about the collection and use of your personal data.
- rectification, ie to have inaccurate personal data rectified, or completed if it is incomplete.
- erasure, often known as the 'right to be forgotten'; however this does not apply where, amongst other things, processing is necessary to comply with a legal obligation.
- restrict processing, although, as above this is a limited right.
- object; though other than for marketing purposes, this is also limited as above.
- Where we rely on your consent to process your data, you have the right to revoke that consent.
- You also have rights in relation to automated decision making and profiling, though these are not currently relevant
- Finally, the right to seek redress, either through the ICO, or through the courts

If you would like to request access to your data, or use any of the other rights listed above, please contact the school office in the first instance.

## **2.11 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)

### **2.11.1 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>

### **2.11.2 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>

### 2.11.3 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>

### 2.11.4 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>

## 2.12 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 May 2021.

## 2.13 Contacts

If you have a concern about the way we are collecting or using your personal data or you would like to discuss anything in this privacy notice, we ask that you raise your concern with us in the first instance.

Please contact the School Office, Headteacher or School Data Protection Officer:

**Data Protection Officer**    GDPR for Schools, Derbyshire County Council

**DPO Email:**                    [gdprforschools@derbyshire.gov.uk](mailto:gdprforschools@derbyshire.gov.uk)

**DPO Phone:**                    01629 532888

**DPO Address:**                Room 396, North Block, County Hall, Smedley Street, Matlock, Derbyshire, DE4 3AG

For Derbyshire County Council:

Information Governance Officer  
Children's Services Department, Derbyshire County Council  
Room 361  
County Hall  
Matlock  
Derbyshire  
DE4 3AG  
Email: [cs.dpandfoi@derbyshire.gov.uk](mailto:cs.dpandfoi@derbyshire.gov.uk)  
Telephone: 01629 532011

For DfE:

Public Communications Unit,  
Department for Education,  
Sanctuary Buildings,  
Great Smith Street,  
London, SW1P 3BT  
Website: [www.education.gov.uk](http://www.education.gov.uk)  
<https://www.gov.uk/contact-dfe>  
Email: <http://www.education.gov.uk>  
Telephone: 0370 000 2288

If however you are dissatisfied with our response to your concerns you can of course contact the ICO quoting our ICO registration number (Wigley is ZA174957, Penny Acres is ZA013930) and stating that the Data Controller is the Federation of Penny Acres and Wigley Primary School.

Information Commissioners' Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number  
Fax: 01625 524 510  
Website: <https://ico.org.uk/concerns/>