

## Privacy notice – how the school uses pupil information

This privacy notice describes how we collect and use personal information about pupils and their families, in accordance with the UK General Data Protection Regulation (GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

### What categories of information are processed?

The categories of personal information that we process include the following:

- **Personal identifiers and contacts** – e.g. name, unique pupil number, contact details and address
- **Characteristics** – e.g. gender, ethnicity, language, religion, nationality, country of birth and eligibility for free school meals
- **Safeguarding information** – e.g. court orders and professional involvement
- **Special educational needs and disabilities (SEND) information** – e.g. any additional needs
- **Medical and administration** – e.g. doctors' information, general health, dental health, allergies, medication and dietary requirements
- **Attendance** – e.g. sessions attended, number of absences, reasons for absences and any previous schools you have attended
- **Assessment and attainment** – e.g. any relevant test and exam results
- **Behavioural information** – e.g. exclusions and any relevant alternative provision put in place
- **Photographs and videos** – e.g. to aid our records management and attendance procedures, images of pupils engaging in school activities and images captured by the school CCTV system

### Why do we collect and use your information?

We will only collect your information when we have a good reason to do so in line with the law – this is known as having a lawful basis to use data. Most commonly these are the legal justifications for the data we collect:

- **Consent:** you have given clear consent to process personal data for a specific purpose
- **Contract:** the processing is necessary for a contract with an individual
- **Legal obligation:** the processing is necessary to comply with the law (not including contractual obligations)
- **Vital interests:** the processing is necessary to protect someone's life
- **Public task:** the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law
- **The Education Act 1996:** for Departmental Censuses 3 times a year

Here are the reasons we collect your information:

- To support pupil learning within and beyond the classroom
- To monitor, set targets and report on pupil attainment and progress
- To provide appropriate pastoral care
- To assess and improve the quality of our services
- To keep pupils safe
- To meet legal duties placed on us by the government

### **How do we collect your information?**

We collect your personal information via the following methods:

- Registration forms
- Common Transfer File (CTF) from your previous school
- Child protection plans (safeguarding transfer)

Pupil data is essential for the school's operational use. Whilst the majority of information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with data protection legislation, we will inform you at the point of collection whether you are required to provide certain information to us or if you have a choice.

### **How do we store your information?**

We hold your personal information securely for the set amount of time shown in the Trust's Records Management Policy, which can be found on our website.

For more information about how we keep your information safe, please see the Trust's Cyber Security Policy, which can be found on our website.

### **Who do we share your information with?**

We routinely share your information with:

- The local authority (LA)
- The Department for Education (DfE) – on a statutory basis under section 3 of the Education (information about individual pupils) (England) Regulations 2013
- Schools that you go to after leaving us
- Collective Vision Trust
- VIP (our EWO, attendance service)
- The NHS
- Welfare services, such as social services
- Law enforcement officials, such as the police
- Providers of learning software

The recipient of the information will be bound by confidentiality obligations, we require them to respect the security of your data and to treat it in accordance with the law.

## Why do we share your information?

We do not share information about you with anyone without your consent, unless the law and our policies allow us to do so.

We share information in order to carry out our functions and provide the best education and care possible for our pupils.

## Department for Education (DfE)

The DfE collects personal information from us and our LA through various collections the school is required to undertake legally. We are required to share information about pupils with the DfE either directly or via our LA for the purpose of those data collections, under:

- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

All information we share with the DfE is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current government security policy framework,, which can be found by following this link:

<https://www.gov.uk/government/publications/security-policy-framework>

## How does the government use your data?

The pupil data that we lawfully share with the DfE through data collections:

- Underpins school funding, which is calculated based upon numbers of pupils and their characteristics in each school.
- Informs 'short-term' education policy monitoring and school accountability and intervention.
- Supports 'longer-term' research and monitoring of educational policy, e.g. how certain subject choices go on to affect education or earnings beyond school.

To find out more about the data collection requirements placed on us by the DfE, e.g. via the school census, follow this link: <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 NPD.

The NPD is owned and managed by the DfE and contains information about pupils in schools in England – it provides evidence on educational performance to inform independent research as well as studies commissioned by the DfE.

Information on the NPD is held in an electronic format for statistical purposes and it is securely collected from a range of sources, including schools, LAs and awarding bodies.

You can find out more about the NPD by following this link:

<https://www.gov.uk/guidance/how-to-access-department-for-education-dfe-data-extracts>.

### **Sharing by the DfE**

The DfE is legally allowed to share pupils' personal information with certain third parties, including the following:

- Schools
- LAs
- Researchers
- Organisations connected with promoting the education or wellbeing of children in England
- Other government departments and agencies
- Organisations fighting or identifying crime

Organisations fighting or identifying crime, such as the Home Office and the police, may use their legal powers to contact the DfE to request access to individual level information relating to a crime.

For more information about how the DfE collects and shares pupil information, you can look at the information in the following two links:

- <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>
- <https://www.gov.uk/government/publications/dfe-external-data-shares>

### **How to find out what personal information the DfE holds about you**

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.
- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link:

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

You can also contact the DfE directly using its online contact form by following this link: <https://www.gov.uk/contact-dfe>.

## What are your rights?

You have specific rights to the processing of your data; these are the right to:

- Request access to the information the school holds about you.
- Restrict our processing of your personal data, i.e. permitting its storage but no further processing.
- Object to direct marketing (including profiling) and processing for the purposes of scientific and/or historical research and statistics.
- Have your personal data rectified if it is inaccurate or incomplete.
- Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- Request the deletion or removal of personal data where there is no compelling reason for the continued processing.

If you want to request access to the personal information that we hold about you, please contact the school office.

If you are concerned about the way we are collecting or using your information, please raise your concern with the school's Data Protection Officer, Mr R Swindells in the first instance. You can also contact the Information Commissioner's Office (ICO) at <https://ico.org.uk/concerns>. The ICO is the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

## How to withdraw consent and lodge complaints

Where our school processes your personal data with your consent, you have the right to withdraw your consent.

If you change your mind or are unhappy with how our school uses your personal data, you should let us know by contacting the Data Protection Officer, Mr R Swindells, via our school office.

## Updating this privacy notice

We may need to update this privacy notice periodically if we change how we collect and process data. The school will inform you when this privacy notice has changed; however, we also recommend that you revisit this privacy notice periodically.

This privacy notice was last updated on February 16<sup>th</sup> 2023.

## How can you find out more information?

If you would like to discuss anything in this privacy notice, please contact the school office in the first instance.

If you require further information about how we and/or the DfE store and use your personal data, please visit our website, the Gov.UK website, (<https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>) or download our Data Protection Policy and Records Management Policy.

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## Declaration

I, [name of pupil or parent](#), declare that I understand:

- The categories of my personal information Chesterton Primary School collects and uses.
- Chesterton Primary School has a lawful basis for collecting and using my personal information.
- Chesterton Primary School may share my information with the DfE, LA and other stated organisations.
- Chesterton Primary School does not share information about me with anyone without my consent, unless the law and our policies allow them to do so.
- My information is retained in line with Collective Vision Trust's Records Management Policy.
- My rights to the processing of my personal information.

Name:

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Signature:

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Date:

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## For school use only

Date privacy notice last updated:

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