



## **Privacy notice for parents/carers (How we use pupil information)**

Under data protection law, 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, Maple Infants' School, are the 'data controller' for the purposes of data protection law. Our data protection officer is Helen Gannon, AzteQ (see 'Contact us' below).

### **The personal data we hold**

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Personal information (such as name, unique pupil number/admission numbers and address)
- Characteristics (such as ethnic background, language, country of birth, eligibility for free school meals, or special educational needs)
- Contact details, contact preferences, date of birth, identification documents – including child's birth date and address confirmation
- Previous educational settings
- Sibling information
- Attendance information (such as sessions attended, number of absences, number of late attendance, absence reasons)
- Assessment information (such as teacher assessments, end of key stage outcomes EYFS & KS1, other statutory assessments – phonics screening checks, progress tracking scores or as required by the Department of Education – DfE)
- Special Educational Needs information (such as type of special educational need or disability, intervention information and progress, referral information to other services LA or other, reports from other professionals)
- Safeguarding information (such as safeguarding incidents or concerns and referrals to the LA, reports from other professionals)
- Details of any medical conditions, including physical and mental health (such as details of medical conditions, treatments of medical conditions, medicines administered, first aid incidents)
- Details of any support received, including care packages, plans and support providers
- Pupil and curricular records (such as annual pupil reports)
- Behavioural information (such as behaviour incidents, behaviour monitoring including sanctions and rewards, racial incident logs)
- Exclusion information
- Photographs – (such as photographs of pupils with medical needs). We often use photographs within school of your child – see Parental Consent Form
- CCTV images captured in school

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities, Fischer Family Trust – FFT Aspire and the Department for Education.

## **Why we use this data**

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists (for our Nursery pupils)
- Carry out research
- Comply with the law regarding data sharing

## **Our legal basis for using this data**

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

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.

Under the General Data Protection Regulation (GDPR), the legal basis we rely on for processing personal information are:

- Article 6(1) (c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- Article 9(2)(a) the data subject has given explicit consent to the processing of those 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;
- Article 9(2) (c) processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- Further information regarding data collection can be found in the education Act 1996 within guide documents on the following website:

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

## **Collecting this information**

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

### **How we store this 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. Our records management policy /record retention schedule sets out how long we keep information about pupils. Details of retention periods can be found at <http://irms.org.uk/page/SchoolsToolkit>.

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

We routinely share pupil information with;

- Our local authority – 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.to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education (DfE). 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.
- The pupil's family and representatives
- School's that the pupil's attend after leading us
- Educators and examining bodies
- Our regulator e.g. Ofsted
- Health authorities and the School Health Team
- Health and social welfare organisations including NHS
- Professional advisers and consultants
- Police forces, courts, tribunals

We also employ other companies as data processors. We share personal data with these companies to enable them to perform specific functions as part of the administration of the school or to deliver teaching and learning and other essential services. Examples of data processors we use are London Grid for Learning, ParentMail & Mathletics. The school is responsible for how these companies use your data and therefore we ensure that the companies comply with data protection laws and our policies.

### **Why we share pupil information**

We do not share information about pupils with any third party 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>.

## National Pupil Database

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 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>

## Parents and pupils' rights regarding personal data

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our school office. Parents/carers also have a legal right to access to their child's educational record. To request access, please contact the school office

### **Other rights**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

### **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. To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113

Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact the Headteacher or our data protection officer Helen Gannon:

Helen Gannon, AzteQ : Email: [helpme@azteq.com](mailto:helpme@azteq.com)] Tel: 01442 560121

This notice is based on the Department for Education's model privacy notice for pupils, amended for parents and to reflect the way we use data in this school.