

# **CARLETON ST HILDA'S CHURCH OF ENGLAND PRIMARY SCHOOL**

## **Privacy Notice (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, Carleton St Hilda's Church of England Primary School, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Mrs Z Williams.

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

- personal identifiers and contacts (such as name, unique pupil number, date of birth, contact details and address)
- parent/carer personal data (such as parental responsibility, name, address, email address, emergency contact details, place of work and contact details, persons responsible for collection, consent lists)
- characteristics (such as ethnicity, language, free school meal eligibility and 'All About Me')
- safeguarding information (such as court orders, Encompass updates and professional involvement)
- special educational needs and disabilities (including the needs and ranking)
- Looked After Children and Children Previously Adopted
- medical conditions and administration (such as doctors information, allied medical professionals ie physiotherapists, occupational therapists, school nurse, 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, key stage 2 and phonics results, and any relevant in school and external results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)

- where applicable, we will obtain CAF, TAF, Child Protection Plans and Health Care Plans from social care, education, health care and other child care and family professionals.
- School attended after leaving Carleton St Hilda's Church of England Primary School

We may also hold data about pupils that we have received from other organisations including other schools, local authorities and the Department of Education.

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

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

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

- to support pupil learning
- to monitor and report on pupil attainment and progress
- to provide appropriate pastoral care
- to record and monitor behaviour
- to assess the quality of our services
- to safeguard pupils
- to support health and well being (including food allergies, health/medical needs or emergency contact details)
- to meet the statutory duties placed upon us including DfE data collections
- to comply with the law regarding data sharing

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

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

#### Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:

(c) Processing is necessary for compliance with a legal obligation to which the controller is subject;

#### Article 9

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

2. Paragraph 1 shall not apply if one of the following applies:

(j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy (shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

### **Collecting Pupil Information**

Pupil data is essential for the schools' operational use. 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 at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

### **Storing Pupil 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. We follow the guidance outlined in the school's Data Protection Policy and Information and Records Management Society's Toolkit for Schools and this sets out how long we keep information about pupils.

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

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority (Lancashire County Council)
- the Department for Education (DfE)
- Blackburn Diocesan Board of Education
- OFSTED

- suppliers and service providers – to enable them to provide the service we have contracted them for eg Educational Psychology Service/Outreach Support Services, speech and language services, specialist support services/teachers
- financial organisations
- central and local government
- Third Party data processor systems that process and manage data on our behalf (such as home learning websites, CPOMS, ParentPay, NFER)
- School website
- school nurse and health authority
- NHS
- health and social welfare organisations including Children’s Social Care Services
- police forces, courts, tribunals
- professional adviser and consultants
- School personnel, including staff and where appropriate trainee teachers
- charities and voluntary organisations
- the high school your child will move on to

### **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

to be given access to your child's educational record, contact Mrs Z Williams, on 01253 882225 or email [bursar@sthildas-carleton.lancs.sch.uk](mailto:bursar@sthildas-carleton.lancs.sch.uk)

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 or complaint 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/>

## **Contact**

If you would like to discuss anything in this privacy notice, please contact:  
Mrs Z Williams, on 01253 882225 or email [bursar@sthildas-carleton.lancs.sch.uk](mailto:bursar@sthildas-carleton.lancs.sch.uk)

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