



### Privacy Notice (How we use pupil information)

<b>Status</b>	Current	<b>Approval</b>	Headteacher
<b>Review frequency</b>	Annual	<b>Author (role)</b>	Local Authority/ DPO
<b>Date written</b>	September 2021	<b>Date approved</b>	September 2021
<b>Date of next review</b>	September 2022	<b>Date withdrawn</b>	N/A

Orchard Junior School is the Data Controller for the use of personal data in this privacy notice.

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

We collect and use personal information:

- 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
- Statistical forecasting and planning
- to comply with the law (including legal requirements to share data with the local authority and Department of Education)
- to keep children safe (food allergies or emergency contact details)
- to meet the statutory duties placed upon us by the Department for Education

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

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attend) and exclusions
- Assessment information
- Modes of travel
- Relevant medical, special educational needs and behavioural information
- Behaviour incidents
- Safeguarding information (such as court orders and professional involvement)

#### Legal Basis for Processing

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 where complying with a legal requirement includes the Education Act 1996, 2002 and 2011, The Childrens Act 1989 and 2004, Education and Skills Act 2008, Schools Standards and Framework Act 1998 and the Equalities Act 2010.

### **Collecting personal information**

Whilst the majority of personal 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 whether you are required to provide certain personal information to us or if you have a choice in this. Where we are using your personal information only on the basis of your consent you may ask us to stop processing this personal information at any time.

### **Storing personal data**

We hold pupil data for / in accordance with our retention schedule (*link*) [settings need to include the length of time for which the personal data will be stored or provide a link to their retention schedule.]

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

We routinely share pupil information with:

- schools
- local authorities
- the Department for Education (DfE)
- medical practitioners (such as the school nurse or an NHS department)
- and third party suppliers where their systems are used to support the education of the children

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

We do not share personal information 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) or the Department for Education (DfE) under regulation 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 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 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/dfе-external-data-shares>

### **Requesting access to your personal data**

Under the General Data Protection Regulation, 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 [schools to include contact details of their Data Protection Officer]

You also have the right, subject to some limitations 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/>

### **Contact:**

If you would like to discuss anything in this privacy notice, please contact, the School's Data Protection Officer, through the School Office.