

# St Luke's Halsall CE Primary School

## Privacy Notice 2018

(How we use pupil information)

On 25 May 2018 the European General Data Protection Regulation (GDPR) will replace the Data Protection Act 1998.

The GDPR requires that the school;

- identifies the lawful basis for storing personal data,
- audit the information we already hold and how we process this and
- ensure our data protection is by design and default.

GDPR also introduces new individual rights relating to personal data, such as the right to erasure where there is no legal requirement to keep data and the right to rectification.

It is important that we keep comprehensive and accurate records on the pupils and contact details of their parents/carers.

This is essential in times of emergency or where a school wide message requires your attention. Under data protection law, you have the right to be informed about how the school uses any personal data that we hold. This notice explains how we collect, store and use personal data.

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

- Personal information – e.g. names, pupil numbers and addresses
- Characteristics – e.g. ethnicity, language, and free school meal eligibility
- Attendance information – e.g. number of absences and absence reasons
- Assessment information – e.g. national curriculum assessment results
- Relevant medical information
- Information relating to SEND
- Behavioural information – e.g. number of temporary exclusions
- Safeguarding information
- Photographs

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

We use the pupil data:

- to support pupil learning,
- to monitor and report on pupil progress,
- to provide appropriate pastoral care,
- to assess the quality of our services,
- to comply with the law regarding data sharing.

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

The school holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE.

The lawfulness of processing pupil and parental data may be covered by;

- Parents have given consent for one or more specific purposes.
- Processing is necessary to comply with the school's legal obligations.
- Processing is necessary to protect the vital interests of pupils.
- Processing is necessary for tasks in the public interest or exercise of authority vested in the school.
- Processing is for educational and pastoral purposes pursued by the school.

We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR,
- Education Act 1996,
- Section 3 of the Education (Information About Individual Pupils) (England) Regulations 2013
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## **Collecting pupil information**

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 whether you are required to provide certain pupil information to us or if you have a choice in this.

## **Storing pupil data**

Personal data relating to pupils at St Luke's Halsall CE Primary School and their families is stored in line with the school's Data Retention Policy. In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

## **We share pupil information with**

We routinely share pupil information with:

- schools that the pupils attend after leaving us,
- the local authority,
- the Department for Education (DfE).

Sometimes we will ask for your consent to share pupil information with:

- Social Care,
- NHS,
- school nurse,
- other organisations, such as university education departments, for research purposes.

## **Why we share pupil information**

We do not share information about our pupils with anyone without consent unless the law allows 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 the local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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>.

*Under GDPR Regulation 23, school will share information with the Police relating to the prevention, investigation, detection or prosecution of criminal offences*

## **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. 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,
- 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**

### **What are your rights?**

Parents and pupils have the following rights in relation to the processing of their personal data. You have the right to:

- be informed about how St Luke's Halsall CE Primary School uses your personal data
- request access to the personal data that St Luke's Halsall CE Primary School holds
- request that your personal data is amended if it is inaccurate or incomplete
- request that your personal data is erased where there is no compelling reason for its continued processing.
- request that the processing of your data is restricted
- object to your personal data being processed

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

If you have a concern about the way St Luke's Halsall and/or the DfE is collecting or using your personal data, you can raise a concern with the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1133, Monday-Friday 9am-5pm. Alternatively, you can contact 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.