

MONKTON PARK PRIMARY SCHOOL



PRIVACY NOTICE PUPILS

Privacy Notice - Data Protection Act 1998: How we use pupil information

We **Monkton Park Primary School** are a data controller for the purposes of the Data Protection Act.

We collect and use 'personal data' under the following 'lawful bases', as defined within the GDPRs:

- to fulfil our duties as a public authority, which is defined as our '**public task**'
- in order to ensure that we provide your child with the right level of support in order for them to progress well during their time at school, which is defined as our '**legitimate interest**'
- in the case of an emergency where your child might be in need of medical help and we are unable to contact you, which is defined as their '**vital interest**'

We collect and use 'special categories of personal data' under the following 'lawful bases' as defined within the GDPR:

- Article 9(2)(a): where you have understood the reason for us requesting the data and have given your consent to us doing so for the purpose specified
- Article 9(2)(b): where processing is necessary for the purposes of carrying out the obligations in the area of social protection law
- Article 9(2)(c): that processing is necessary to protect the vital interests of your child or of another person where you or your child are physically or legally unable to give consent.
- Article 9(2)(d): that processing is carried out in the course of our legitimate activities, with appropriate safeguards

For the taking and use of photographs and/or videos of pupils our lawful basis as defined within the GDPR is 'consent'. We will write to you when your child starts at our school to ask for your consent and will supply you with more detail.

We hold this personal data and use it to:

- support our pupils' learning
- monitor and report on pupil progress
- provide appropriate pastoral care; and

- assess the quality of our services
- to comply with the law regarding data sharing
- to support the work of other external organisations involved in the support of your child

In addition, throughout the school year we also take photograph and videos of pupils which are used:

- for displays around the school
- within our school prospectus and on our school website
- reports for sporting events, school plays or other purposes within school publications and the general media

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

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Medical information (such as allergies, medical conditions, disabilities, physical and mental developmental difficulties, doctor's contact details)
- Educational information (such as school reports, assessment data, exam and test results)

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

We hold the majority of pupil data for the time that your child remains at our school. When they transfer to another primary school and/or on to a secondary school, their data is also transferred.

Their final school will hold the majority of pupil data (contained within their individual pupil files) until they reach the age of 25. Some data is held for a shorter period of time and is thereafter destroyed. More detailed information can be found on our website or by asking at the school office.

Who do we share pupil information with?

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)
- school nurse
- NHS

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 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>

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 be given access to your child's educational record, contact Sarah Quarrell, Data Administrator or Jonathan Watts, Data Protection Officer via the school office.

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 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:

Sarah Quarrell, Data Administrator or Jonathan Watts, Data Protection Officer via the school office.

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following websites:

http://www.wiltshire.gov.uk/council/dataprotectionandfoi/dataprotection/dataprotectionfurtherinfo.htm#Data_protection_further_info-Anchor-Privacy_Notices or

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

- Pip Rabbitts
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- Public Communications Unit
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