



## **Privacy Notice: How we use pupil information**

Denton CP School & Nursery processes personal information about its pupils and is a 'data controller' for the purposes of Data Protection legislation. We collect information from you and may receive information about your child from their previous school.

### **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)
- Assessment information
- Relevant medical information
- Special educational needs information
- Exclusions / behavioural information

### **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 keep children safe (food allergies or emergency contact details)
- to assess the quality of our services
- to comply with the law regarding data sharing

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

We collect and use pupil information under and in line with General Data Protection Regulation (GDPR) 2018, including under Article 6 and Article 9. We ensure this data is protected, under and in line with the Data Protection Act 2018 and GDPR 2018.

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

- We have to collect and process personal data to enable us to comply with a legal obligation (GDPR Article 6.1c).
- We need it because we are acting in the public interest or exercising our official authority (GDPR Article 6.1e).

We may also process pupils' personal data in situations where:

- We have obtained consent from you to use it in a certain way (GDPR Article 6.1a).
- We have a genuine and legitimate reason and we are not harming any of your rights and interests (GDPR Article 6.1f).
- It is necessary to protect vital interests (GDPR Article 6.1d).

We may also process pupils' personal data in order to lawfully process 'special category' data situations where:

- the data subject has given explicit consent (GDPR Article 9.2a)
- substantial vital interests (GDPR Article 9.2c)
- processing is necessary for the establishment of legal claims (GDPR Article 9.2f)
- substantial public interest (GDPR Article 9.2g)

## **Collecting pupil information**

We collect pupil information via pupil admission forms or via Common Transfer File (CTF) from a previous school and termly and yearly data collection form checks. 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 GDPR 2018, 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 pupil data on our school information management system in line with our retention schedule. Pupil records are sent directly to their next school at the time of their leaving.

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

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority, including associated external agencies
- the Department for Education (DfE)
- School Nurse / NHS/Educational Psychiatrist

## Why we share pupil information

We do not share information about our pupils 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.

## 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 the headteacher, either directly or 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, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## Data Protection Officer

The school's Data Protection Officer is provided by East Sussex County Council; Peter Questier (East Sussex County Council, Information Governance Team, Children's Services)

However, please contact the school in the first instance if you have a query regarding this privacy notice or how your information is used.

## 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>

## **How Government uses your data**

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)