

Privacy Notice (How we use pupil information)

A new data privacy law was introduced in the UK from 25 May 2018. As a result, we're publishing a new Privacy Notice to make it easier for you to find out how we use and protect your information. We won't be changing the ways we use your personal information, but the new notice will provide you with additional details.

It is likely that we'll need to update this Privacy Notice every now and again to make sure it's accurate. We will let you know of any major changes, but the most up-to-date version will always be here for you to check.

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
- Photographs
- CCTV images captured in school
- Safeguarding Information

Why we collect and use pupil 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

We collect and use pupil information under section 537A of the Education Act 1996, section 83 of the Children Act 1989 and The EU General Data Protection Regulation 2016/679 (GDPR) including Article 6 'Lawfulness of processing' and Article 9 'Processing of special categories of personal data'

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

The GDPR law on data protection sets out a number of different reasons we may collect and process your Personal Information, including:

- **Consent:** In specific situations, we can collect and process your data with your consent - e.g. when you tick a box online or sign up to receive invitations from us. When collecting your Personal Information, we'll always make clear to you which data is necessary in connection with a particular service.
- **Contractual obligations:** In some instances, we need your Personal Information to comply with our contractual obligations.
- **Legal compliance:** We may be legally bound to collect and process your data.
- **Legitimate interest:** We require your data to pursue our legitimate interests in a way which might reasonably be expected as part of running our business and which does not materially impact your rights, freedom, or interests.

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 pupil data, on computer systems and paper, for the time specified in the school's data retention policy.

Who do we share pupil information with?

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our Local Authority (including commissioned providers of local authority services)
- the Department for Education (DfE)
- the School Nursing Team
- the NHS
- our Education Welfare team
- third party providers of products used within the school setting to support pupil learning.

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>

Where your Personal Information may be processed

Sometimes we will need to share your Personal Information with third parties outside the European Economic Area (EEA), such as the USA.

If we do this, we have procedures in place to ensure your data receives the same protection as if it were being processed inside the EEA by ensuring they have adequate controls in place, e.g. EU-US Privacy Shield.

Any transfer of your Personal Information will follow applicable laws and we will treat the information under the guiding principles of this Privacy Notice.

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 Gillian Ray, School Bursar by email: data@stjohnsprimary.org.uk, with the subject line 'Personal Data Access Request' or by post: St John's Primary School, Worrall Road, Clifton, Bristol, BS8 2UH.

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 either:

- School's Data Protection Lead on data@stjohnsprimary.org.uk marked FTAO: Data Protection Lead
- Data Protection Officer on GDPR@integra.co.uk