

# Bernard Gilpin Primary School

## Privacy Notice (How we use pupil information)

This notice is to help you understand how and why we collect personal information and what we do with that information. It also explains the decisions that you can make about your child's and your own information.

We are giving you this notice because you are now able to exercise your data protection rights and those of your child. If you have any questions about this privacy notice then please contact the School Business Manager on [bernard.gilpin@bernardgilpinprimary.com](mailto:bernard.gilpin@bernardgilpinprimary.com)

### The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs and disabilities and referral information
- medical and administration (such as doctors information, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, key stage 2 results) to support pupil learning
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Photographic images for use in school, on school website and media
- Educational visits, residentials and activities

### Why we collect and use pupil information

The personal data collected is essential in order for the school to fulfil its official functions and meet legal requirements.

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment and progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us
- g) to comply with the law regarding data sharing (e.g. reporting a Child Protection concern, disclosure of information to the Police etc)

We collect and use personal data in order to meet legal requirement and legitimate interests set out in the Education Act 1996 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".

Under GDPR, the lawful bases we rely on for processing pupil information are:

- for the purposes of **(a), (b), (c) and (d) above** in accordance with the legal basis of **Public task**: collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function
- for the purposes of **(e)** in accordance with the legal basis of **Vital interests**: to keep children safe (food allergies or medical conditions)
- for the purposes of **(f)** in accordance with the legal basis of **Legal obligation**: data collected for the DfE census information
  - Section 537A of the Education Act 1996
  - The Education Act 1996 s29 (3)
  - The Education (School Performance Information) (England) Regulations 2007
  - Regulations 5 and 8 School Information (England) Regulations 2008
  - The Education (Pupil Registration) (England) (Amendment) Regulations 2013

In addition, concerning any special category data:

- conditions a, b, c and d of GDPR - Article 9

## Collecting pupil information

We collect pupil information via admission/contact at the start of the school year. We also collect information from Common Transfer File (CTF) or secure file transfer from previous schools. In addition, when a child joins us from another school we may be sent a secure file containing relevant safeguarding or special needs information.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

## Storing pupil data

The security of your personal information is important to us. This is why we follow a range of security policies and procedures to control and safeguard access to and the use of your personal information. We hold pupil data securely for the set amount of time shown in our data retention schedule. An Information Sharing Protocol is also in place and regularly reviewed. In accordance with GDPR, the school does not store personal data indefinitely; data is only stored for as long as necessary to complete the task for which it was originally collected or to meet statutory requirements for data retention.

## Who we share pupil information with

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- Medical professionals including the School Nursing Service and the NHS
- Third party organisations including the Police
- Organisational partners of the Local Authority

## Why we regularly 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.

## Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

- section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current government security policy framework.

For more information, please see 'How Government uses your data' section.

## 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 School Business Manager on 0191 917 2999 or email [bernard.gilpin@bernardgilpin.com](mailto:bernard.gilpin@bernardgilpin.com)

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint 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/>

## 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 (for example, school end of key stage results)
- supports "longer term" research and monitoring of educational policy

## 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>

## Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting **the School Business Manager on 0191 917 2999 or at [bernard.gilpin@bernardgilpin.com](mailto:bernard.gilpin@bernardgilpin.com)**

## Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on **28<sup>th</sup> September 2018**

## Contact

If you would like to discuss anything in this privacy notice, please contact: **School Business Manager on 0191 917 2999 or at [bernard.gilpin@bernardgilpin.com](mailto:bernard.gilpin@bernardgilpin.com)**

## 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)

## 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)

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

## Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools and 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/dfe-external-data-shares>

To contact DfE: <https://www.gov.uk/contact-dfe>