



Privacy Notice (How we use pupil information)

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

- Personal information (such as name, unique pupil number, date of birth, parent's details and address)
- Characteristics (such as ethnicity, language and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Relevant Medical conditions/medical information (including records of accidents / first aid administered)
- Special Educational Needs and Disability
- Behaviour and exclusions
- Safeguarding and child protection information
- Parent/Emergency contact information
- Photographs
- Nursery or prior educational setting information / transition 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 assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils
- for school / classroom displays

The lawful basis on which we use this information

On the 25th May 2018 the Data Protection Act 1998 was replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR is:

Article 6:

1. Processing shall be lawful only if and to the extent that at least one of the following applies:
 - a) *the data subject has given consent to the processing of his or her personal data for one or more specific purposes*

- b) *processing is necessary for the performance of a contract to which the data subject is party*
- c) *processing is necessary for compliance with a legal obligation to which the controller is subject*
- d) *processing is necessary in order to protect the vital interests of the data subject*
- e) *processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller*
- f) *processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party*

Article 9:

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.
2. Paragraph 1 shall not apply if one of the following applies:
 - b) *processing is necessary for the purposes of carrying out the obligations and exercising the specific rights of the controller or of the data subject in the field of ...social protection law in so far as it is authorised by Union or Member State law ...'*
 - h) *processing is necessary for the purposes of preventative or occupational medicine, for... medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...*
 - i) *processing is necessary for reasons of public interest in the area of public health*
 - j) *processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.*

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

This means that as a school we are legally required to collect, process and share some categories of personal data. This information is required for us to carry out our functions, including to assess progress, enter pupils for exams, safeguard pupil well being and carry out our responsibilities with regards to pastoral care.

Sharing of class lists

The school shares class list information with providers in connection with the following public health screening programmes:

1. National Child Measurement Programme (NCMP)

The lawful basis for sharing personal data is:

Art. 6 (1) (e) GDPR: *Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller*

2. Dental Screening Survey & Vision Screening Programmes

The lawful basis for sharing personal data is:

Art. 6 (1) (f) GDPR: *Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party*

The legitimate interest is to provide public health services and improve health and wellbeing outcomes for children and young people, which falls outside the task of schools. Processing is necessary to facilitate any follow-up arrangements, in response to identified need or to promote health and wellbeing, by health professionals.

The additional lawful basis for processing special category personal data (specifically ethnic origin) in respect of these two public health screening programmes is:

Art. 9 (2) (i) GDPR: *Processing is necessary for reasons of public interest in the area of public health*

3. Collection of Health Assessments/Questionnaires at Reception and Year 6

The lawful basis for sharing personal data is:

Art. 6 (1) (f) GDPR: *Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party*

The legitimate interest is to provide public health services and improve health and wellbeing outcomes for children and young people. School Nursing services offering support to address individual health needs. School Nurses and their employing organisation will have access to children's individual information, in order for them to identify and offer further support to children who require their services. School Nurses adhere to national standards of confidentiality unless they have cause for concern around best interest/safety issues. The School Nurses will keep a record of health assessments/questionnaires within the Child Health Record. The information collected from questionnaires will also be used to form a summary report for school. This is anonymised information that will support us to understand the health needs of our pupils and target resources appropriately. Lancashire County Council will also use this information at an anonymised level in order to understand and address the population health needs of children and make appropriate plans and actions.

4. Vaccination Programmes

The lawful basis for sharing personal data is:

Art. 6 (1) (e) GDPR: *Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller*

Art. 9 (2) (h) GDPR: *Processing is necessary for the purposes of preventative or occupational medicine, for... medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services...*

Art. 9 (2) (i) GDPR: *Processing is necessary for reasons of public interest in the area of public health*

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 retain pupil data in line with the authority's recommendations for the retention of records. Once your information is no longer needed it will be securely and confidentially destroyed.

Who we share pupil information with

We routinely share pupil information with:

- Parents and carers or anyone who has parental responsibility
- Schools that you attend after leaving us
- Our local authority
- The Department for Education (DfE)
- NHS/school nurse/commissioned health authorities
- Speech and Language specialists
- Educational Psychology services
- Lancashire Educational Assessment tracker
- School Governing Body
- Lancashire County Commercial Group (school catering service)
- Child and family well being services
- Other local authorities (when moving or transferring to/from another area)
- Further education schools and establishments

The school also shares some data with a number of third parties to support student learning and enable us to effectively manage payments and communicate with parents. At present these organisations include:

- Schools sports partnership
- School photography service
- Parentpay
- Residential trip providers
- 2Simple
- Class Dojo
- Rock Star Maths
- Bug Club
- Spelling Shed
- Teachers 2 Parents

All third parties who we share data with in this way are required to uphold the same data protection standards as the school and provide confirmation that their data storage and deletion procedures and policies comply with the relevant regulations.

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.

We share information with suppliers and service providers so that they can provide the service we have contracted them for.

We share information with NHS, school nurses and other commissioned health authorities to enable them to complete public health screening programmes.

We share information with Educational Psychologists and Speech & Language specialists, so that they can carry out assessments on you and provide assistance to you and 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)

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>

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 Mrs Danson or Mrs Masterson (School Business Managers).

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/>

Contact

If you would like to discuss anything in this privacy notice, please contact:

Mrs Danson or Mrs Masterson, School Business Managers, 01254 853518