Privacy Notice (How we use pupil information/data)

Why do we collect and use pupil information?

We collect and use pupil information in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and education legislation, including the Education Act 1996. We collect and use pupil information for educational, safeguarding and administrative purposes and to comply with our legal obligations. Under Section 537A of the Education Act 1996, we are also required to submit school census returns, including a set of named pupil records, and pupil information is collected and used for this purpose.

Information can be found in the census guide documents on the following website
https://www.gov.uk/education/data-collection-and-censuses-for-schools

Information regarding the Information Commissioner's Office (ICO) Code of Practice, can be found on the following website page
https://ico.org.uk/for-organisations/guide-to-data-protection/data-sharing/

Who are we?

Holy Infant & St Anthony RC Primary School is the data controller. This means the Data Controller decides how your personal data is processed and for what purposes.

How do we process your personal data?

Holy Infant & St Anthony RC Primary School complies with its obligations under the "UK GDPR" by

- ✓ keeping personal data up to date;
- ✓ by storing and destroying it securely;
- ✓ by not collecting or retaining excessive amounts of data;
- ✓ by protecting personal data from loss, misuse, unauthorised access and disclosure
- ✓ and by ensuring that appropriate technical measures are in place to protect personal data.

What we use your personal data for:

- to support pupil learning
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to enable us to provide a responsible and safe school for the benefit of our children in a particular geographical area
- to monitor and report on pupil assessments, progress and records
- to manage the education, welfare and safeguarding of our pupils and to support the effective operation of the school
- to maintain our own accounts and records
- to inform you of news, events, activities and services running at Holy Infant & St Anthony RC Primary 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, religion, 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 and Dietary needs
- Special Educational Needs information
- Exclusions & Behavioural information
- Child Protection and Safeguarding information

Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided on a voluntary basis. We will inform you whether you are required to provide particular information or whether you have a choice.

Processing pupil information

We process pupil information where:

- processing is necessary for compliance with a legal obligation;
- 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 school; and
- consent has been provided where we rely on consent for a specific activity.

Storing pupil data

We hold pupil data in line with the school's Data Protection Policy and records retention schedule. Personal information is retained only for as long as necessary and is disposed of securely in accordance with legal and operational requirements.

Specifically, we retain data while it is still current on:-

- pupils' name, address and unique identification number
- pupils' nationality, ethnicity and spoken language
- telephone and mobile numbers of parents, carers and other nominated emergency contactsthose with parental responsibility for contact only
- attendance data
- behaviour data
- medical information
- special educational needs and disability information
- Behaviour information
- Pupil Premium Information re Free School Meals
- transfer to next school

Who do we share pupil information with?

We routinely share pupil information with:

- schools that pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- the school nurse / NHS / Health and other professionals working with specific pupils
- Early Intervention Team

- Our *Texting Service,* My Child at School (MCAS), collects the smartphone identifier to send push notifications to the user's device. They cannot identify individuals from this data.
- suppliers and service providers who support the school's management information and payment systems.
- Child Protection and Safeguarding information is recorded on CPOMS safeguarding system.

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

Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Protection Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

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

Your rights and your personal data

Unless subject to an exemption under the UK GDPR, you have the following rights with respect to your personal data: -

- The right to request a copy of your personal data which Holy Infant & St Anthony RC Primary School holds about you;
- The right to request that Holy Infant & St Anthony RC Primary School corrects any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for the Holy Infant & St Anthony RC Primary School to retain such data;
- The right to withdraw your consent to the processing at any time;
- The right to request that the data controller provide the data subject with his/her personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability). [*Only applies where the processing is based on consent or is necessary for the performance of a contract with the data subject and in either case the data controller processes the data by automated means*].
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data, T*his applies where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of educational research and statistics*]
- The right to lodge a complaint with the Information Commissioners Office.

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 Head Teacher.

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 where you have suffered damage as a result of a breach of the data protection law

If you have a concern about the way we are collecting or using your personal data

You should raise your concern with School in the first instance.

If you have further concerns, you can contact the school's Data Protection Officer (DPO). Our DPO is Kathryn Wilkinson who can be contacted on 07847 378225.

You may also raise concerns directly with the Information Commissioner's Office at https://ico.org.uk/concerns/

You can also contact the Information Commissioners Office on 0303 123 1113 or via email https://ico.org.uk/global/contact-us/email/ or at
The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

Contact:

If you would like to discuss anything in this privacy notice, please contact:
Kathryn Wilkinson on 07847 378 225

Legal Basis: The lawful bases for processing are set out in Article 6 of the UK GDPR. At least one of these must apply whenever you process personal data:

a) Consent: the individual has given clear consent for you to process their personal data for a specific purpose.

b) Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

c) Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations).

d) Vital interests: the processing is necessary to protect someone's life.

e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

f) Legitimate interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)

Special Category Data: UK GDPR identifies that some information is particularly sensitive and therefore needs extra protection:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Health information
- Sexual life or orientation
- Genetic data (e.g. blood samples DNA)
- Biometric data to identify an individual (e.g. finger-prints, iris recognition)

Special Category Conditions: Article 9 of sets out the special category conditions. If you are processing special category data you need to meet a special category condition in addition to the legal basis identified above:

- The data subject has given explicit consent
- Necessary to protect the vital interests where the data subject is physically or legally incapable of giving consent
- The data has been made publically available by the data subject
- Necessary for the purposes of preventative or occupational medicine, for example the assessment of the working capacity of an employee
- Required for exercising rights in the field of employment and social security or social protection
- Processing is carried out by a foundation or not-for-profit body in the course of its legitimate activities
- Necessary to process legal claims
- Necessary for archiving statistical or historical research which is in the public interest
- Necessary for reasons of substantial public interest on the basis of UK law which shall be proportionate to the aim pursued

Data relating to criminal convictions or offences: Information relating to criminal convictions and offences is processed only where there is an appropriate legal basis and where such processing is permitted under data protection legislation.