

Privacy Notice June 2022

Pupils (How we use pupil information)

This privacy notice explains how and why Claygate Primary School collect pupils' data, what we do with it, and the rights of parents and pupils in respect of that data. The contents of this Notice comply with the **General Data Protection Regulations 2018 (GDPR)**, which came into force on 25th May 2018 and which replace the Data Protection Act 1998. This Privacy Notice may be read in conjunction with the school's Data Protection Policy.

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 for collecting and using pupil information is included in Articles 6 and 9 of the GDPR, the Education Act 1996, and the Children's Act 1989.

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 (such as ongoing teacher assessment and the outcomes of statutory assessment)
- special educational needs and/or medical information (where relevant)
- behaviour and safeguarding information (where relevant)

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 only retain pupil data for as long as is necessary to fulfil both our statutory duties and other reasons that we may collect data for. When the pupil leaves the school (either to secondary school, or a transfer to another school before then), the majority of data will be transferred to the next school. In some cases it may be appropriate to retain some personal data, for example for the purposes of statistical analysis.

Who we share pupil information with

We routinely share pupil information with:

- parents (as defined in the Education Act 1996)
- schools that the pupil attends after leaving us
- the local authority (Surrey)
- a pupil's home local authority (if different)
- the Department for Education (DfE)

From time to time we may also share pupil information with other third parties, including (but not restricted to):

- the Police
- health and education professionals including the school nurse, educational psychologists etc.
- the Education Welfare Service
- Surrey Children's Service
- Courts (if required to do so)

Some of the above organisations and agencies may also be Data Controllers in their own right. In the event that we share pupils' personal data with other agencies, we will only do so to the extent that is necessary to fulfil the purpose for which we are required to share the data.

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 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 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 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: 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: www.gov.uk/government/publications/national-pupil-database-requests-received

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 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 www.ico.org.uk/concerns/

Contact

If you would like to discuss anything in this privacy notice, please contact the Headteacher via the school office.