

Fallings Park Primary School



GDPR Privacy Notice Pupils and their Parents 2020/2021

School Designated Data Protection Officer: City of Wolverhampton Council

Contact:

schoolsig@wolverhampton.gov.uk

dataprotection@wolverhampton.gov.uk

Telephone 01902 555166

Headteacher: S Pedley

Chair of Governors: Eileen McKen

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PRIVACY NOTICE – HOW WE USE PUPIL & PARENT INFORMATION

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 and attainment information
- Medical information and details relating to Special Educational and/or disability needs
- Behaviour information (number/nature of incidents in which a pupil has been involved and consequences, including exclusions)
- Safeguarding information
- Photographs

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 carry out our legal obligations as a school
- to keep children safe
- to comply with the law regarding data sharing

The lawful basis on which we use this information

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- ⊗ We need to comply with a legal obligation
- ⊗ We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- ⊗ We have obtained consent to use it in a certain way
- ⊗ We need to protect the individual's vital interests (or someone else's interests)
- ⊗ We have obtained it as part of fulfilling a contract with you

We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- ⊗ Article 6 and Article 9 of the GDPR
- ⊗ Education Act 1996
- ⊗ Regulation 3 of the Education (Information About Individual Pupils) (England) Regulations 2013

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

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.

The categories of parent information that the school collects, holds and shares includes the following:

- ⊗ Contact information, including addresses, phone numbers and email addresses of parents and/or any other emergency contacts
- ⊗ Financial information where appropriate, e.g. to check eligibility for FSM
- ⊗ Information pertaining to home life where appropriate, e.g. where a pupil is identified as having a mental health issue or there are safeguarding concerns

Storing pupil data

We hold pupil data for the duration of the child's educational journey with us.

The school operates a records retention schedule that includes details on how long we keep information about pupils.

We will only hold information to you for as long as necessary.

How long we hold information will depend on the type of information.

In accordance with GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

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)
- learning platforms and communication tools, including Teachers2Parents
- Our regulator Ofsted
- Suppliers and service providers
- Central and local government
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

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 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, please email DPO@fallingspark.org.uk who will be able to provide the details for making a Subject Access Request.

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
- a right to seek redress, either through the ICO, or through the courts

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 email: DPO@fallingspark.org.uk