

Old Clee Primary Academy

'Inspired to Believe, Learning to Succeed'

Privacy Notice

How Pupil Data Is Used



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1. The personal data we hold

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 (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, 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 phonics results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- information for activities and trips. This may include information to support your child on a school trip. For instance, a passport number if the trip is abroad.
- Images are collected to identify your child. You will have to give consent for these to be published on school website etc.
- Catering services to provide your child with a meal during the school day or any additional snacks or drinks.
- CCTV images captured in school

The academy also uses a number of third-party processors. If you require this information, please visit our website: www.oldcleepa.co.uk or contact the academy for a list of third-party services.

2. Why we use this data

We use the pupil data to:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) protect pupil welfare
- e) to assess the quality of our services
- f) to keep children safe (food allergies, or emergency contact details)
- g) to meet the statutory duties placed upon us for the Department for Education (DfE) data collections

3. Our lawful basis for using this data

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing pupil information are:

Article 6 (1) (c). processing is necessary for compliance with a legal obligation to which the controller is subject.” and 6 (1) (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”

In addition, concerning any special category data we rely on Article 9:

- Article 9 (2) (a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes,
- 9 (2) (c) To protect the vital interests of the individual,
- 9 (2) (f) in the event of legal claims or judicial acts,
- 9 (2) (i) As required for purpose of public health (with a basis in law)

4. Collecting this data

We collect pupil information via:

- Registration forms on entry to the academy
- Common Transfer Forms (CTF)
- Secure File Transfer from previous school

We also collect information on a yearly basis via

- Sending out a blank data collection forms for parents/carers to populate
- Completing an online form for parents/carer to complete
- Updating information via a third-party app.

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.

NB It is the responsibility of parents/carers to inform the academy of any changes to information e.g. address, contact phone number etc.

5. How we store this data

We hold pupil data securely for the set amount of time shown in our data retention schedule. We have adopted the Information and Records Management Society (IRMS) recommendations as our data retention schedule.

- Data Retention Policy

6. Who we share data with

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- National Health Service
- Targeted and family support services
- The Police
- The Courts and the Children and Family Court Advisory and Support Service (Cafcass)
- Department for Work & Pensions

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. For example, we must share pupil information in accordance with the Education (Pupil Information) (England) Regulations 2005 and Keeping Children Safe in Education Statutory Guidance.

7. Department of Education (DfE)

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:

- [DfE - regulation 5 of The Education \(Information About Individual Pupils\) \(England\) Regulations 2013.](#)
- [Data collection and censuses for schools](#)

All data is transferred securely and held by the Department for Education (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. For privacy information on the data the Department for Education collects and uses, please see:

- [Privacy information: early years foundation stage to key stage 3](#)

7. Your rights

The UK-GDPR gives parents and pupils certain rights about how their information is collected and used. To make a request for your personal information, or be given access to your child's educational record, contact Mrs Bridson, School Business Manager (contact@oldcleepa.co.uk)/Tim Pinto at The E-Safety Office Ltd (tpinto@esafetyoffice.co.uk)

You also have the following rights:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'.

- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request.
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- the right to ask us to delete your personal information – this is called 'right to erasure'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'.
- the 'right to object to processing' of your information, in certain circumstances
- rights in relation to automated decision making and profiling.
- the right to withdraw consent at any time (where relevant).
- the right to complain to the Information Commissioner if you feel we have not used your information in the right way.
- There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:
- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent.

If you wish to make a **Subject Access Request**, please contact contact@oldcleepa.co.uk

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance. If the school cannot resolve the situation, you can contact Information Commissioner's Office (ICO).

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

8. 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 contact@oldcleepa.co.uk.

9. Contact us

Our data protection officer is:

➤ Tim Pinto at The E-Safety Office Ltd

However, our **data protection lead** has day-to-day responsibility for data protection issues in our academy.

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact them:

➤ Mrs Bridson, School Business Manager contact@oldcleepa.co.uk

How Government uses your data

The pupil data that we lawfully share with the Department for Education (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 (DfE) (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 (DfE) and contains information about pupils in schools in England. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The data in the NPD is provided as part of the operation of the education system and is used for research and statistical purposes to improve, and promote, the education and well-being of children in England.

The evidence and data provide DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-npd-privacy-notice/national-pupil-database-npd-privacy-notice>

Sharing by the Department for Education (DfE)

DfE will only share pupils' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, the law allows the Department for Education (DfE) 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 for Education's (DfE) 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 the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) 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>

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the UK GDPR, you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

or

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>