



## Full Privacy Notice – Pupils – Primary

**May 2018**

### Revision History

Issue Number	Date	Reason for issue
1.0	April 2018	Implementation of the General Data Protection Regulations (GDPR) coming into force in 2018.
1.1	February 2019	Ongoing update

### Document Authorisation

Issue Number	Date	Group
1.0	April 2018	Data Protection Officer
	April 2018	Senior Information Governance Officer

## Privacy Notice (How we use pupil information)

### Why do we collect and use pupil information?

We collect and use pupil information under Section 537A of the Education Act 1996, Section 83 of the Children Act 1989 and “Article 6” and “Article 9” of the General Data Protection Regulation (GDPR).

*Article 6 (GDPR) condition: Processing is necessary for compliance with a legal obligation to which the data controller is subject.*

*Article 9 (GDPR) condition: For substantial public interest on legal basis.*

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 Ensure that we meet our statutory obligations including those related to diversity and equality.

### The lawful basis on which we use this information

This details the legal basis that we are relying on when handling your information.

#### Public Interest

This means that the processing is necessary for public interests except where the processing is unfair to you. The school relies on public interest for most ways in which it uses your information. Specifically the school has public interest in:-

- providing educational services to your child
- safeguarding and promoting the welfare of your child and other children
- promoting the objects and interests of the school.
- Facilitating the efficient operation of the school
- Ensuring that all relevant legal obligations of the school are complied with.

#### Legal Obligation

Where a school needs to use your information in order to comply with a legal obligation, for example to report a concern to Children’s Services. We may also have to disclose information to third parties such as the local authority or the police where legally obliged to do so.

#### Vital Interests

For example, to prevent someone from being seriously harmed or for the emergency medical treatment of a person. The School must also comply with an additional condition where it processes special categories of personal information. These special categories are as follows: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information. Consent will be required for data held or stored under this category as well as one for the following legal basis.

#### Vital Interest

To protect the vital interest of any person where that person cannot give consent, for example, if they are seriously hurt or unconscious.

We may also receive information from their previous school or college, local authority, the Department for Education (DfE) and the Learning Records Service (LRS).

**Note:** Schools and local authorities have a (legal) duty under the DPA and the GDPR to ensure that any personal data they process is handled and stored securely.

### **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)
- National curriculum assessment results
- Special education needs information
- Relevant medical information

For details of what we collect, hold and share, please visit the Information Commissioner's Office (ICO) Data Protection Register on <https://ico.org.uk/esdwebpages/search> and enter **DPR Registration Number – ZA386240.**

### **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 to do so.

### **Storing pupil data**

We hold your education records securely in line with retention guidelines until you change school. Your records will then be transferred to your new school, where they will be retained until you reach the age of 25, after which they are destroyed securely.

There are strict controls on who can see your information. We will not share your data if you have advised us that you don't want it shared unless it is the only way we can make sure you stay safe, healthy or we are legally required to do so.

### **Who do we share pupil information with?**

We will only provide personal information to an external organisation or individual for the purposes set out above or in order to help prevent; risk of harm to an individual, or if required to do so by law or under a data sharing agreement.

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)
- NHS (*for inoculations, etc*)
- Police
- Cloud-based software

## **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.

## **Perceptions Survey**

Every year, pupils between the ages of 8 and 18 are invited to undertake a survey through Pearson's Education which asks questions around how they feel in school; during their travel to school and whilst in the wider community. We use this data to support the specific requirements of pupils in terms of additional intervention and support with teaching and learning. It ensures a more targeted and specific approach. Trends may arise which may give consideration to additional support within the wider community.

All data shared is pseudonymised (no names included) to ensure the security of the information and is not shared with anyone other than the School and Wallsend Children's Community (WCC). WCC undertake all analysis of the data on behalf of the school and provide support on where intervention should be targeted. This work is undertaken using the School's systems and hence no data leaves the school once received back from Pearson's.

Robust processes are 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.

## **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>

## **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 J Graham, School Business Manager.

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, you should raise your concern with us in the first instance or directly to 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 J Graham  
Carville Primary School  
The Avenue  
Wallsend  
Tyne and Wear  
NE28 6AX  
Tel No: 0191 2007236  
Email: [Carville.primary@northtyneside.gov.uk](mailto:Carville.primary@northtyneside.gov.uk)
- **Data Protection Officer (for Schools)**  
Law and Governance  
North Tyneside Council  
Quadrant  
North Tyneside, NE27 0BY  
Tel No: (0191) 643 2333  
Email: [DPO.Schools@northtyneside.gov.uk](mailto:DPO.Schools@northtyneside.gov.uk)

### **Changes to our privacy policy**

We keep this policy under regular review and we will place any updates on our website at <http://www.carvilleprimaryschool.uk.org/>