



## Privacy Notice (How we use pupil information)

Withycombe Raleigh C of E Primary School will act as the Data Controller for any personal data that you provide to us. As such, we will ensure that the data you give us is processed in line with our Data Protection Policies and in line with your rights under EU General Data Protection Regulations and associated data protection laws currently applicable in the UK.

### 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 national curriculum assessment results).
- Information relating to SEND
- Relevant medical information
- Exclusion/Behaviour Information

Whilst the majority of the personal data you provide to us is mandatory, some of it is provided to us on a voluntary basis. When collecting data, the school will inform you whether you are required to provide this data or if your consent is needed.

### Why we collect and use this information

We collect and hold personal information relating to our pupils and may also receive information about them from their previous school, Local Authority and/or the Department for Education (DfE).

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 safeguard pupils

## The lawful basis on which we use this information

We collect and use personal data in order to meet legal requirements and legitimate interests set out under the General Data Protection Regulations (GDPR) and UK law, including those in relation to the following:

- Article 6 (*Note 1*), and Article 9 (*Note 2*) of the GDPR
- Education Act 1996
- Regulation 5 of the Education (Information About Individual Pupils) (England) Regulations 2013.

## Storing pupil data

Personal data relating to pupils at Withycombe Raleigh C of E Primary School and their families is stored in line with the schools' GDPR Data Protection Policy.

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

## Who we share pupil information with

Data may be passed on for specific purposes allowed by law. From time to time the school is required to pass on some of this data to data controllers who are subject to the same legal constraints in how they deal with the data. These include:

- schools that the pupil's attend after leaving us
- our Local Authority
- Department for Education (DfE)
- School to school networks
- Relevant NHS staff.
- Ofsted – Inspection reports do not identify individual pupils

## 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>.

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- Note 1: Processing is necessary for compliance with a legal obligation to which the controller is subject (Article 6 (1) (c))  
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 (Article 6 (1) (e))
- Note 2: Processing is necessary for reasons of substantial public interest (Article 9 (2) (g))

## 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, contact Mr Stephen Powley, Headteacher.

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 <https://ico.org.uk/concerns/>

## **Contact**

If you would like to discuss anything in this privacy notice, please contact Mr Stephen Powley, Headteacher on 01395 263397