

Marshlands Primary School

Privacy Notice for Parents / Pupils



How we use pupil information

Under data protection law, individuals have a right to be informed about how we use any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data, and by having a Data Protection Policy.

This notice explains how we collect, store and use personal data about our pupils. We Marshlands Primary School are the data controller for the purposes of data protection law. Our school has an appointed Data Protection Officer, whose role is to oversee and monitor the school's data protection procedures, and to ensure that the school is compliant with data protection laws (Data Protection Act 2018 and the General Data Protection Regulation (GDPR)).

The categories of pupil information that we process include:

- Contact details, contact preferences, date of birth, identification documents
- characteristics (such as ethnic background, eligibility for free school meals)
- safeguarding information
- special educational needs
- medical and administration (allergies, medication, dietary information)
- attendance information
- assessment and attainment
- behavioural information
- episodes of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection information and Child Protection Plan information)
- episodes of being looked after and outcomes for looked after children
- adoptions
- Photographs and CCTV images captured in school

We may also hold data about your child that we have received from other organisations, including other schools and social services.

Why we collect and use pupil information

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) support Children in Need and Looked After Children and monitor their progress
- c) to monitor and report on pupil attainment progress
- d) to provide appropriate pastoral care
- 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 by the Department for Education
- h) evaluate and improve our policies

Under data protection laws, the main lawful bases we rely on for processing pupil information are:

- the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- processing is necessary for compliance with a legal obligation to which the controller is subject; and
- 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 the legal basis for processing any special categories information is:

- processing is necessary for reasons of substantial public interest,
- Where we have obtained consent to use pupils personal data (e.g. photo consents), this consent can be withdrawn at any time.

Collecting pupil information

We collect pupil information throughout a pupil's time at school, but in particular from the pupil registration from when they start at the school. We may also obtain information from third parties such as their previous school, by Common Transfer File.

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 data protection laws, 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 and we will tell you what you need to do if you do not want to share this information with us.

Storing pupil data

We keep personal information about your child while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary. Our record retention schedule sets out how long we keep information about pupils, a copy can be requested from the school DPO. We have appropriate security measures in place to prevent your child's personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We will dispose of your child's personal data securely when it is no longer needed.

Who we share pupil information with

We do not share information about your child with any third party without consent unless the law and our policies allow us to do so. Where it is legally required, or necessary, we may share personal information about your child with:

- schools
- local authorities
- the Department for Education (DfE)
- Educators and examining bodies
- Our regulator Ofsted
- Suppliers and service providers
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities/ NHS school nurses
- Security organisations

- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies
- School Clubs

Department for Education

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:

Section 537A of the Education Act 1996 and Regulation 6 (d) of the Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009.

Section 47 of the Statistics and Registration Service Act 2007 and the Statistics and Registration Service Act 2007 (Disclosure of Pupil Information) (England) Regulations 2009.

Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

We share children in need and children looked after data with the Department on a statutory basis, under Section 83 of 1989 Children's Act, Section 7 of the Young People's Act 2008 and also under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by 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.

Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the [Schools Admission Code](#), including conducting Fair Access Panels.

Requesting access to your personal data

You have a right to make a 'subject access request' to gain access to personal information that we hold about your child, or be given access to your child's educational record, contact the School's Data Protection Officer.

Depending on the lawful basis above, you may also have the right to:

- object to processing of personal data if it would cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing (we do not do this)
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data corrected, deleted or destroyed
- 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, 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/>

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

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 the School's Data Protection Officer at marshlands.primary@eastriding.gov.uk

Contact

If you would like to discuss anything in this privacy notice, please contact our data protection officer :

Telephone: 01405 75094 marshlands.primary@eastriding.gov.uk

How Government uses your data

The pupil data that we lawfully share with the 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 (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- 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's 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 DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department 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 DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

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

To contact DfE: <https://www.gov.uk/contact-dfe>