



**Chancel Primary School**

# **Privacy Notice**

## **Pupils and their families**

**Created in: September 2020**

**Review date: September 2021**

**Chancel Primary School, Wolseley Road, Rugeley, Staffordshire, WS15 2EW**

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## Privacy Notice (How we use pupil information)

Chancel Primary School is the Data Controller for the use of personal data outlined in this privacy notice. This means, we determine the purposes for which and the manner in which any personal data relating to pupils and their families is processed. In some cases, your data may be outsourced to a third party processor; however, this will only be done where the law and our policies allow us to do so. Where we outsource to a third party processor, the same data protection standards that we uphold are imposed on the processor.

Mrs. R. Palmer is the Data Protection Lead, who is to oversee and monitor Chancel Primary School's data protection procedures. The Data Protection Officer is Nikki Proctor who can be contacted at Staffordshire County Council, Fourth Floor, Staffordshire Place 1, Stafford ST16 2DH; 01785 278717

### 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, 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 EYFS baseline; key stage 1 SATs, year 1 and 2 phonics results, year 4 MTC results and key stage 2 SATs)
- behavioural information (such as exclusions and any relevant alternative provision put in place)

This list is not exhaustive.

### Why we collect and use pupil information

We hold the right to collect and use personal data relating to pupils and their families and we may also receive information regarding them from their previous school, LA and/or the DfE.

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

- Article 6 and Article 9 of the GDPR;
- Education Act 1996;
- Regulation 5 of The Education (Information About Individual Pupils, England) Regulations 2013

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

Reason for collecting data...	Lawful Basis...
To support pupil learning	Legal obligation Public Task
To monitor and report on pupil attainment progress	Legal obligation Public Task
To provide appropriate pastoral care	Vital interests Public Task
To enable your child to participate in offsite activities	Consent Vital Interests
To fulfil your child's lunchtime requirements	Consent Vital interests
To meet your child's inclusion needs	Vital interests
To meet your child's medical needs	Legal obligation Vital interests
To assess the quality of our services	Legitimate interests
To keep children safe (food allergies, or emergency contact details)	Legal obligation Vital interests
To meet the statutory duties placed upon us by the Department for Education	Legal obligation Public Task

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

- (a) Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.
- (b) Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- (c) Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
- (d) Vital interests:** the processing is necessary to protect someone's life.
- (e) Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- (f) Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

Within education, we do process some sensitive information about children that is not set out in the legislation as a 'special category personal data'. Notably information about children's services interactions, free school meal status, pupil premium eligibility, elements of special educational need information, safeguarding information and some behaviour data. We consider it best practice that when considering security and business processes about such data, that they are also treated with the same 'high status' as the special categories set out in law.

## Collecting pupil information

We collect pupil information via registration forms, completed documentation, local authority online portals, Common Transfer File (CTF) or secure file transfer from previous school. This list is not exhaustive.

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

## Storing pupil data

In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary, in line with current legislation. We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please contact the school office.

## Who we share pupil information with

We routinely share pupil information with:

- schools
- local authorities
- the Department for Education (DfE)
- the NHS
- external safeguarding agencies
- examining bodies
- auditors
- Ofsted
- suppliers and service providers

This list is not exhaustive.

## Why we regularly 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 information in order to safeguard pupils and to ensure they receive a high quality education.

## 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 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](#).

## 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

Under GDPR, 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 the school's Data Protection Lead.

Depending on the lawful basis above, you may 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, 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 Data Protection Lead.

## Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated in September 2020.

## Contact

If you would like to discuss anything in this privacy notice, please contact: **Chancel Primary School, Wolseley Road, Rugeley, WS15 2EW, T: 01889 228710, E: [office@chancel.staffs.sch.uk](mailto:office@chancel.staffs.sch.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>