

## Privacy Notice (How we use pupil information)

**Lower Kersal Primary School collects and holds personal information relating to our pupils. We may also receive information about pupils from their previous school, and forward information to a school that pupils are transferring to. We collect and hold pupil data to enable our schools to provide education services that meet the needs of our pupils. The information supports the tracking of student attainment and progress, attendance and behaviour. Curriculum, examination and timetabling decisions are based on the data we collect and ensure the appropriate support is given to specific groups of students. 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) and any other information that is needed to fulfil our safeguarding duties as per KCSIE
- special educational needs (such as specific learning difficulties, medical and learning needs)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements, medical incidents that have occurred inside and outside of school that may affect learning or safety, physical or mental health needs)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, and any relevant results)
- behavioural information ((such as rewards, achievements, behaviour incidents, exclusions, detentions and any relevant alternative provision put in place)
- first aid incidents and accident information
- other, including photographic images, audio and video recordings, CCTV images.

## Why we collect and use pupil information

We collect and use pupil information, for the following purposes – this list is not exhaustive:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) Monitor student behaviour and attendance
- d) to provide appropriate pastoral care
- e) to assess the quality of our services
- f) to keep children safe
- g) to meet the statutory duties placed upon us for the Department for Education (DfE) data collections
- h) to contact parents/carers
- i) to enter pupils for examinations

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

We collect and use student information under GDPR, Article 6(1):

1. Where it is necessary for compliance with a legal obligation on school to educate the data subject or that the data subject has given consent to the processing of his or her personal data for one or more specific purposes.
2. Where processing is necessary for the performance of tasks carried out in the public interest. It is in the public interest to provide educational services to our pupils and to offer extracurricular

activities such as, but not limited to, reading sessions, afterschool clubs to benefit the personal and academic growth of our pupils or where we engage with other educational establishments that offer enrichment.

3. Where processing is necessary for the purposes of the legitimate interests, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data. This may include matters such as supporting student learning above by recording lessons and making the recording available to pupils where a pupil cannot attend a lesson (e.g. because the pupil is ill)

4. Personal data will be collected and/or processed for the purposes of relevant contracts for the provision of services which are paid for. This may include but is not limited to:

- The provision of music tuition
- School trips
- Entering pupils for examinations

In addition, concerning any special category data:

Under Article 9 of the GDPR, special categories of personal data will only be processed regarding pupils where necessary for reasons of substantial public interest in complying with legal obligations (including under the Equality Act 2010.) For the avoidance of doubt where special categories of personal data are collected it shall not be used for the purposes of automated decision making and/or profiling.

Special categories of data mean personal data revealing:

- Race
- Ethnic origin
- Religion
- Trade union membership
- Genetics
- Biometrics (where used for ID purposes)
- Health

Further personal data including special categories of personal data may be collected and/or processed where consent has been given (for example, school photographs for non-educational purposes and engagement with social media). If consent is the only legal basis for processing and has been given, then this may be revoked in which case the personal data will no longer be collected/processed.

## Collecting pupil information

We collect pupil information via registration forms or via secure file transfers from previous schools.

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.

## Storing pupil data

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 visit

<https://www.lkps.co.uk/school-policies/>

For primary pupils, the majority of pupil information held will follow the pupil when they leave the primary school, for example when they attend secondary school, the information will be transferred to the new school.

## Who we share pupil information with

We routinely share pupil information with:

Other educational establishments and alternative education

- Local authorities
- Department for Education(DfE)
- Ofsted
- Examination Boards
- Child Health Service
- EducationPsychologists
- Police service
- 3rd Party Applications and Services such as but not limited to:
  - DfE
  - SIMS
  - ParentPay
  - CPOMs
  - Provision Map
- Schools that our pupils join after leaving our schools

## 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 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 the DfE under regulation 5 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>.

## Department for 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:

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

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.

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 the Headteacher in writing.

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint 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 the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

## 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 on **29/6/23**

## Contact

If you would like to discuss anything in this privacy notice, please contact: **Lower Kersal Primary School**.

## How Government uses your data

The pupil data that we lawfully share with the 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)

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 (DfE) 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 for Education (DfE).

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 for Education (DfE)

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 Data Protection Act 2018, 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>

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