

## PRIVACY NOTICE

This document explains what information will be held about your child, how it will be held and processed by St. Mark's Church of England Primary School. You can also find out about the General Data Protection Regulations and Data Protection Act 2018 and your rights on the Information Commissioners Website [www.ico.org.uk](http://www.ico.org.uk).

This document contains information about:

1. Why we collect your personal information
2. The categories of pupil information that we collect, hold and share
3. Collecting pupil data
4. Storing pupil data
5. The lawful basis on which we use this information
6. Who we share pupil information with
7. Requesting access to your personal data
8. How to contact us for further information

### **1. Why we collect your personal information**

Within School, we use pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to have relevant medical information on each child
- to protect pupil welfare
- to have emergency contacts for each child
- to administer waiting lists
- to assess the quality of our services
- to comply with the law regarding data sharing, including sharing data with the local authority and Department for Education
- to carry out research

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

Schools and local authorities have a (legal) duty under the General Data Protection Regulation (GDPR) to ensure that any personal data they process is handled and stored securely.

### **2. The categories of pupil information that we collect, hold and share include:**

- Personal information (such as name, unique pupil number, date of birth 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)
- Contact details, contact preferences, identification documents
- Assessment information

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- Special Educational Needs information
- Behavioural information (such as exclusion details, positive rewards)
- Relevant medical information
- Safeguarding information
- Photographs / images
- CCTV images captured at school

### 3. Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided 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 in this.

### 4. Storing and retaining pupil information

We keep information about you on computer systems and sometimes on paper.

We hold your education records securely 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 will be safely destroyed.

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

We have a legal obligation to collect and use pupil information under the Education Act 1996.

We also need to use sensitive personal data called "special category data" which requires more protection to keep it safe. This is often information you would not want to be widely known and is very personal to you. It includes:-

- Religious beliefs
- Ethnicity
- Language
- Country of Birth
- Nationality
- Service Child Indicator
- Free School Meal eligibility

We will take extra care of this data. The legal reason for us to collect and use this personal information is:

- to perform our statutory duties and it is required by law
- for reasons of public interest

*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 in this. It is possible for parents to refuse to provide data on nationality and country of birth, please contact us if you wish to discuss this.*

### 6. Who we share pupil information with

We routinely share pupil information with:

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- schools that the pupils attend after leaving us
- the Academy Trust
- our Local Authority
- the Department for Education (DfE)
- educators and examining bodies
- School Nursing Service (inoculations, height / weight checks)
- NHS Vision and Hearing Services
- Pupil's parents / carers / representative to report on pupil progress
- Police forces, courts and tribunals
- Survey and Research organisations
- Suppliers and service organisations to enable them to provide the service we of contracted them for
- NHS Track and Trace

We may also share basic pupil data with the following in order to set up:

- Teaching & learning websites for pupils to use at home
- Electronic messaging service for parents
- Online payments and parent evening booking service
- School Photo service

As part of the statutory school inspection process, we are required to share pupil information with our regulators, OfSTED and SIAMS (Statutory Inspection of Anglican and Methodist Schools). Information may also be shared with our auditors. Where possible such data is anonymised before sharing.

Occasionally we may share information with the Health and Safety Executive as part of our legal obligation to report certain accidents/incidents/near misses under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations).

### 6.1 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.

#### **Department for Education (DfE)**

We share pupil 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.

#### **The Local Authority**

We share pupil data with the local authority on a statutory basis. There are several acts and regulations that require the share of data between schools and the local authority including;

- Education Act 1996
- Education Act 2002
- Education and Inspections Act 2006

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- Education (Pupil Registration) (England) Regulations 2006
- Education (Information About Individual Pupils) (England) Regulations 2013
- Education (Pupil Registration) (Amendment) (England) Regulations 2016
- Education Act 2002, as amended by the Education Act 2011;
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by the Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014.

The local authority also provide information to the Health Service and the LA Youth Service on behalf of the school. Where-ever possible data is anonymised before sharing.

### **NHS Track and Trace**

The law on protecting personally identifiable information, known as the General Data Protection Regulation (GDPR), allows Public Health England to use the personal information collected by NHS Test and Trace Service.

If required to do so by the NHS Track and Trace Services, St Mark's Church of England Primary School will provide the contact details of all children and adults that have been in close contact with anyone that has tested positive for Covid-19, or other illnesses where NHS Track and Trace is being used, within the setting to the NHS or other involved bodies.

This is in accordance with Article 6(1)(e) of the GDPR 'processing is necessary for the performance of a task carried out in the public interest'.

For more information please see the following government guidance.

<https://www.gov.uk/guidance/nhs-test-and-trace-how-it-works#how-nhs-test-and-trace-service-works>

<https://contact-tracing.phe.gov.uk/help/privacy-notice>

### **6.2 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>.

### **6.3 The National Pupil Database**

The National Pupil Database (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.

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

### **7. 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 Alan Triplow at St. Mark's Church of England Primary School, Talbot Village, Bournemouth BH10 4JA.

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
- 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/>

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**8. How to contact us for further information**

If you have a concern about how we are using your information, we would ask you to contact our GDPR Lead: Mr Alan Triplow at St. Mark's Church of England Primary School, Talbot Village, Bournemouth BH10 4JA, e-mail [office@st-marks.bournemouth.sch.uk](mailto:office@st-marks.bournemouth.sch.uk).

Our Data Protection Officer is Nicky Armstrong, Moordown St John's CE Primary School, Vicarage Road, Bournemouth BH9 2SA, email [n.armstrong@st-johns.bournemouth.sch.uk](mailto:n.armstrong@st-johns.bournemouth.sch.uk)

**Information Commissioner**

For further information about Information Rights legislation, please contact the Information Commissioner's Office at [www.ico.org.uk](http://www.ico.org.uk) or by telephone **0303 123 1113** or write to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF Concerns can also be reported online at <https://ico.org.uk/concerns/>