

Waterhouses CE Primary Academy

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Privacy Notice (How we use pupil information)

QEGSMAT are a Data Controller for the purposes of the Data Protection Act (DPA) / General Data Protection Regulations 2018 (GDPR). This notice provides information to pupils and parents, including current, prospective and past pupils, into how information about pupils is used in our schools.

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 including external tests (from previous schools and within school)
- Relevant medical information
- Special Education Needs information
- Behavioural information (including exclusions)
- Safeguarding information
- Photographs/video
- IT usage

Why we collect and use this information

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 provide advice and support relating to the pupil's next stage of education
- to comply with the law regarding data sharing
- to provide cashless payments including catering
- to monitor (as appropriate) use of the School's IT and communications systems in accordance with the Trust's Acceptable Use Policy

We collect and use pupil information under the Education Act 1996, the Data Protection Act 1998 (DPA) and "Article 6" and "Article 9" of the General Data Protection Regulation (GDPR).

- Article 6 (GDPR) condition: Processing is necessary for compliance with a legal obligation to which the data controller is subject.
- Article 9 (GDPR) condition: For substantial public interest on legal basis.

Certain data is collected under the lawful basis of Consent. Consent will be sought in advance and the right to withdraw consent be advised.

Note: We have a legal duty under the DPA and the GDPR to ensure that any personal data we process is handled and stored securely.

Collecting pupil information

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.

Accuracy of Data

The majority of the data is supplied by the individual. It is the responsibility of parents / carers to ensure the data supplied, including addresses and emergency contacts remains accurate. If you wish to update your personal contact details or any other details please contact the data protection co-ordinator in school – Mrs Porteous.

Storing pupil data

The majority of pupil data is held for the period of date of birth + 25 years. Please see appendix 1 for further information.

Who we share pupil information with

We routinely share pupil information with:

- Schools that the pupil's attend after leaving us
- Our local authority
- The Department for Education (DfE)
- Ofsted
- Health Professionals
- Standards & Testing Agency Board - SATs
- Catering service providers
- Cloud Service providers to provide software to support our work with monitoring and reporting pupil progress, pupils safeguarding, providing on-line educational resources and providing student data management information
- Other relevant external agencies

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 the (DfE) under regulation 5 of The Education (Information about Individual Pupils) (England) Regulations 2013. See appendix 2 for further information.

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 data protection co-ordinator – Mrs Porteous.

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:

Mrs Barbara Smith, Data Protection Officer, smith@gegsmat.com

Appendix 1: Retention of Documents on Pupil Files

This schedule lists the principal documents held on a pupils file record. The list is not, however, exhaustive and other documents relating to their education whilst with us may be held. Files will generally be held for the length of time of date of the pupil's birth + 25 years at which time they will be shredded. Documents relating to child protection or accidents may be held indefinitely and the parents / carers will be advised of this

Document	Period of retention
Admissions – unsuccessful application	Application date + 1 year
Admissions – successful application	Transfers to pupil file
Pupil Records - Paper	Date of Birth + 25 years (secondary schools)
Pupil Records – Paper – Pupils that leave before the end of year 11 (including Primary)	Transferred to new education provider
Pupil Records - Electronic	Date of Birth + 25 years
Pupil Record – Electronic – minimal data to confirm attendance	Indefinitely
Examination / assessment data	Added to pupil record
Special Education Needs Data	Added to pupil record
Child Protection Information	Date of Birth + 25 years (kept under review)
Attendance Data	Added to pupil record
Correspondence relating to absence	Added to pupil record
Health Related Data	Added to pupil record
Free School Meal Register	Current year + 6 years
Parental consent forms for school trips – No incidents	Conclusion of trip
Parental consent forms for school trips – Serious incident	Date of Birth + 25 years (for all pupils on the trip)

Appendix 2: 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 the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Schools that the pupil's attend after leaving us. We will forward on personal data to your new school-in order for them to best support your education. This data may include your Unique Pupil Reference Number, assessment and achievement data, Special Educational Needs information, Behaviour and Attendance Data.

Our local authority We are required to share information with our Local Authority if it is to support the education of the pupil concerned.

Ofsted We are required to make available to Ofsted data relating to pupil performance, attainment and attendance.

Standards and Testing Agency We are required to make available personal pupil data to the Standards and Testing Agency in order that candidates can be entered into external tests (SATs and Key Stage 1 Phonics).

Health Professionals In order to support pupil welfare there may be a requirements to refer a pupil for support from health professionals in order to support their well-being and education.

Catering Company Personal and Special Category Data is shared with our catering company in order that we can operate a cashless catering system and to correctly identify pupils accessing their food accounts.

Cloud Service providers Pupil data is managed via a number of software cloud service providers in order to effectively and efficiently track pupil attainment, safety and wellbeing and to manage attendance and provide access to additional educational learning opportunities and resources.

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-forschools> .

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-databaseuser-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/dataprotection-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-pupildatabase-requests-received>

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

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