



## PRIVACY NOTICE

### **Why do we collect and use pupil information?**

We collect and use pupil information under Article 6 of the General Data Protection Guidelines (May 2018):

6(1) (c) *'Processing is necessary for compliance with a legal obligation or*

*6(1) (e) for the performance of a task carried out in the public interest or in the exercise of official authority'*

The lawful basis for processing personal data as set out in the DfE Data Protection toolkit stipulates that data can be regarded as being of **Vital** or **Legitimate** interest to those using it, i.e,

- **Vital interests:** the processing is necessary to protect someone's life.
- **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. This cannot apply if you are a public authority processing data to perform your official tasks. Public authorities will need to rely on official functions.

**Where there is no vital or legitimate interest to share data we will always seek consent from a person holding parental responsibility.**

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress i.e., assessment information
- to provide appropriate pastoral care
- to provide appropriate medical care
- to provide for and support pupils with special educational needs
- to record exclusions/behaviour and safeguarding/Child Protection concerns
- to assess the quality of our services
- to comply with the law regarding data sharing

**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 information, relevant medical information, special educational needs

- information, exclusions / behavioural information,
- Safeguarding and Child Protection information

## **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.

## **Storing pupil data**

We hold pupil data for the following periods of time:

- Pupils' Educational Record: Duration of time in school. (Plus one academic year for Ofsted or diocesan inspections. This may include samples of pupils' books, case studies and analyses of assessment information)
- SEN records: DOB +25 years
- Child Protection Records: DOB +25 years
- Accident records : DOB + 21 years

Some images and work will be retained in school to preserve the history of the school for future community interest and to allow for reflective historical teaching opportunities.

## **Who do we share pupil information with?**

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- S2S common transfer file portal
- local authority officers, i.e, Education Welfare Service, Early Years FEEE team, Admissions etc.
- Ofsted
- the Department for Education (DfE)
- social care personnel, where relevant
- school health team incl school nurses
- other relevant health personnel/professionals
- Agilysis (Network provider)
- Capita (Facilitating the School Management Information System)
- residential providers such as PGL and Study Experiences
- sports coaches or other out of school club providers i.e., Wigan Athletic F.C, Bike-ability and other local sports clubs/providers
- non-school staff associated with school trips and competitions
- third party parent communication providers e.g. Teacher to Parents texting/ email services, Marvellous Me
- third party subscription services – 2-Simple, CPOMS, Espresso Discovery Centre, Fisher Family Trust, Inentry, Nessy, O Track, Rising Stars, RM Maths, School Spider, Speech-link, TT Rock stars (Maths Circle Ltd), Third Space Learning, Touchline UK.
- Tempest photography
- Twitter
- Local Authority Catering Services

## **Why we share pupil information**

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 our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so, for instance if it is vital or legitimate.

### **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)**

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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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 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/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 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 Mrs Pamela Potter Headteacher, the School Office or Mr. Andrew Yearsley Data Protection Officer.

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, 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/>

### **Contact:**

If you would like to discuss anything in this privacy notice, please contact:

The Data Controller Mrs. Pamela Potter, Headteacher, the School Office or Mr. Andrew Yearsley, Data Protection Officer on 01744 678290.