

Newton Tony CE VC Primary School	
Privacy Notice (How we use pupil, parent/carers and other named adult information)	
Policy agreed	May 2018
Policy review	May 2019 (or as required)

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data. This privacy notice explains how we collect, store and use personal data about children, parents and other adults named in contact details. Newton Tony CE VC Primary School, Newton Tony, Salisbury, Wiltshire, SP4 0HF, is registered with the Information Commissioner's Office (ICO) and is the 'data controller' for the purposes of data protection law. Our Data Protection Officer (DPO) is: Miss Kerry, Newton Tony CE VC Primary School, Newton Tony, Salisbury, Wiltshire, SP4 0HF

Under the General Data Protection Regulation (GDPR), the legal basis / bases we rely on for processing personal information for general purposes are the Education Act 1996 and the EU General Protection Regulation (GDPR) which will take effect from May 25 2018, including Article 9 'lawfulness of processing' and Article 9 'processing of special categories of personal data'

**The categories of information that we process include:**

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, free school meal and service premium eligibility)
- safeguarding information (such as court orders, professional involvement and emergency contact details of other named adults)
- 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 key stage 1, key stage 2 and phonics results, internal tracking systems)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- trips and activities consent
- catering and free school meal management

**Why we collect and use information**

The General Data Protection Regulation allows us to collect and use information with consent of the data subject, where we are complying with a legal requirement, where processing is necessary to protect the vital interests of a data subject or another person and where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. When the personal information is Special Category Information we may rely on processing being in the substantial public interest in addition to consent of the data subject and the vital interests of the data subject or another. Our requirement for this data and our legal basis for processing this data include the Education Act 1996, 2002 and 2011, The Children's Act 1989 and 2004, Education and Skills Act 2008, Schools Standards and Framework Act 1998 and the Equalities Act 2010. Newton Tony CE VC Primary School collects and uses pupil, parent and other adults named as emergency contacts information to comply with legal obligation and protection of vital interests (ref: Article 6, and Article 9 where data processed is special category data from the GDPR).

**Collecting personal information**

We collect and use information, for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, GP contact details, or emergency contact details from family and friends)
- f) to 'meet the statutory duties placed upon us for DfE data collections

## How we collect information

We collect pupil, parent and other named adults information via registration forms within the school year and Common Transfer File (CTF) from previous schools. Pupil data is essential for the schools' operational use. Whilst the majority of personal 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 personal information to us or if you have a choice in this. Where we are using your personal information only on the basis of your permission you may ask us to stop processing this personal information at any time.

## How we store data

We hold pupil, parent and other named adult data for / in accordance with our retention schedule (copy of which can be found on the policies section on the school website.) This schedule will detail the length of time for which the personal data will be stored safely.

## Who we share information with

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- Children's Services
- the Department for Education (DfE)
- Health Professionals (school nurse, educational psychologist, speech and language, CAMHS, EMTAS)
- SEND professionals or educational settings

## Why we regularly share information

We do not share information about our pupils, parents or other named adults 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 our local authority (LA) and the Department for Education (DfE) under section 3 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-collectionand-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-pupildatabase-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>

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. For more information, please see 'How Government uses your data' section.

### **Requesting access to your personal data**

Under data protection legislation, parents, other named adults 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 Talbot- King (Administrator) or Miss Kerry (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
- a right to seek redress, either through the ICO, or through the courts

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/>

### **Contact**

If you would like to discuss anything in this privacy notice, please contact: Mrs Talbot- King (Administrator) or Miss Kerry (Data Protection Officer) at Newton Tony CE VC Primary School, Newton Tony, Salisbury, SP4 0HF or [admin@newtontony.wilts.sch.uk](mailto:admin@newtontony.wilts.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 one 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/dfе-external-data-shares>

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

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