

Devonshire Primary School



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Privacy Notice (How we use pupil information)

Devonshire Primary School is committed to protecting the privacy and security of personal information. This privacy notice describes how we collect and use personal information about pupils, in accordance with the General Data Protection Regulation (GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

Devonshire Primary School is a 'Data Controller' and this means that the school is responsible for deciding how we hold, retain, store and use personal information about pupils in our school.

The categories of pupil information that we process include:

- Personal information and contacts (such as name, unique pupil number, date of birth, contact details);
- Characteristics (such as ethnicity, language, and free school meal eligibility);
- Safeguarding information (such as court orders and professional involvement);
- Special educational needs (including the needs and ranking);
- Medical and administration including details of accidents and injuries (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 and phonics results, and any relevant results);
- Behavioural information (such as suspensions and any relevant alternative provision put in place);
- Emergency contact and family information such as names, relationship, phone numbers and email addresses;
- Images of pupils engaging in school activities, and images captured by the School's CCTV system;
- Information about the use of our IT, communications and other systems, and other monitoring information.

This list is not exhaustive, to access the current list of categories of information we process please email office@devonshire.sutton.sch.uk.

Why we collect and use pupil information

Whilst the majority of 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 important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

We collect and use pupil information, for the following purposes:

- Support pupil learning
- Support pupil welfare, safeguarding and child protection
- Monitor and report on pupil attainment progress
- Support behaviour management
- Provide appropriate pastoral care
- Assess the quality of our services
- Keep children safe (food allergies, or emergency contact details)
- Administer admissions waiting lists and administer nursery admissions
- Carry out research
- Apply for funding
- Comply with the law regarding data sharing and meet the statutory duties placed upon us for the DFE statutory returns

The lawful basis on which we use this information

Under the [UK General Data Protection Regulation \(UK GDPR\)](#), the lawful bases we rely on for processing pupil information are:

- Consent: the pupil's representative has given clear consent to process the pupil's personal data for a specific purpose;
- Contract: the processing is necessary for a contract with the individual;
- Legal obligation: the processing is necessary to comply with the law (not including contractual obligations);
- Vital interests: the processing is necessary to protect someone's life.
- Public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law; and
- The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We need all the categories of information in the list above primarily to allow us to comply with legal obligations. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

Collecting pupil information

We collect pupil information via **the Admissions plus on line registration system and registration forms**.

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 the policy section on our website or email office@devonshire.sutton.sch.uk requesting a copy.

Who we share pupil information with

We may need to share your data with third parties where it is necessary. There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it's the only way we can make sure you stay safe and healthy or we are legally required to do so.

We share pupil information with:

- The Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. This data sharing underpins school funding and educational attainment policy and monitoring;
- The pupil's family and representatives to meet our legal obligations to ensure the safety, educational and emotional development and wellbeing of the pupil;
- Educators and examining bodies to meet our legal obligations in ensuring that attainment levels are reached and monitored and pupil learning is adequately assessed;
- Our regulator, Ofsted, to meet our legal obligations in ensuring that we provide our pupils with a good education in a safe and secure environment;
- Suppliers and service providers to enable them to provide the services we have contracted them for;
- Financial organisations to enable us to provide a payment collection service for trips, clubs and school meals;
- Central and local government to comply with the statutory requirements of a maintained school;

- School and Local Authority auditors to meet our legal obligations in ensuring that our financial arrangements and spending are in accordance with the school financial procedures;
- Other Schools that pupils have attended/will attend;
- Health authorities to meet our legal obligations in ensuring the health and wellbeing of the pupils in our care;
- Health and social welfare services (such as social services) to meet our safeguarding duties;
- Law and enforcement officials such as police, courts, tribunals, DWP and HMRC;
- Local Authority Designated Officer;
- Professional advisors and bodies to ensure our pupils receive a good standard of education;
- Support services (including insurance, IT support, information security); and
- The Local Authority.

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations, we require them to respect the security of your data and to treat it in accordance with the law.

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. For example, we share pupil data with the DfE on a statutory basis which underpins school funding and educational attainment. To find out more about the data collection requirements placed on us by the DfE please 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.

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, please contact the Headteacher.

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

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information requested (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

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.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent for a specific purpose, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Headteacher.

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

We take complaints about our data collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any concerns about our data processing please raise this with the Headteacher in the first instance.

To make a complaint, please contact our Data Protection Officer. Alternatively, you can make a complaint to the Information Commissioner's Office:

Report a concern online at <https://ico.org.uk/concerns/>

Call 0303 123 1113 or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, we request that you raise your concern with the Headteacher in the first instance.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by the Headteacher then you can contact the DPO on the details below: -

- Mrs C Carroll, Rialu Services, Data Protection Officer, c/o The School Business Manager, Devonshire Primary School, Devonshire Avenue, Sutton, SM2 5JL. Email: rialuservices@gmail.com

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns/>.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

This notice is based on the DfE model privacy notice for pupils and has been amended for parents and to reflect the way we use data in our school.

How the 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-npd-privacy-notice/national-pupil-database-npd-privacy-notice>

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>