



## Data Privacy Notice for Pupils and Families

July 2018

### **Who processes your information?**

West Blatchington Primary & Nursery School complies with the General Data Protection Regulation (GDPR) and is registered as a 'Data Controller' with the Information Commissioner's Office (Registration # Z5343738).

Carly Regan acts as a representative for the school with regard to its data controller responsibilities, and can be contacted at [admin@wblatch.brighton-hove.sch.uk](mailto:admin@wblatch.brighton-hove.sch.uk) or on 01273 770777.

The Data Protection Officer (DPO) for the school is James England. His role is to oversee and monitor our school's data protection procedures, and to ensure they are compliant with the GDPR. He can be contacted by email at [DPO@dataprotection.education](mailto:DPO@dataprotection.education)

We ensure that your personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

### **Privacy Notice (How we use pupil information)**

**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).
- Relevant medical information.
- Children's photographs.
- Children's assessment data (such as test results, teacher assessments, end of year reports).
- Information about additional education interventions carried out by the school.
- Information about any special educational needs children may have.
- Logs of behavioural incidents and exclusions.

## **Why we collect and use this information**

We use the pupil data:

- To support pupil learning.
- To contact and provide information to parents and guardians.
- To monitor and report on pupil progress.
- To provide appropriate pastoral care.
- To assess the quality of our services.
- To comply with the law regarding data sharing.

## **The lawful basis on which we use this information**

We collect and use pupil information under the following bases (in our role of collectors of data we are known as the 'Data Controller'):

“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” - GDPR Article 6(1)(e)

“processing is necessary for compliance with a legal obligation to which the controller is subject – GDPR Article 6(1)(c)”

“processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject” - GDPR Article 9(2)(g).

## **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**

Personal data relating to pupils at West Blatchington Primary & Nursery School is stored for as long as is necessary to complete the task for which it was originally collected or for the duration stipulated in legislation.

Academic and administrative records are retained for the time which the pupil attends West Blatchington Primary & Nursery School.

Special Educational Needs files, reviews and Individual Education Plans are kept until 25 years after the Date of Birth of the pupil.

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

We routinely share pupil information with:

- Schools that the pupils attend after leaving West Blatchington Primary & Nursery School.

- Our local authority (Brighton & Hove City Council)
- The Department for Education (DfE)

Other instances where we may share information:

- We may need to share information about children's health and wellbeing with the School Nurse, Educational Psychologist, Special Educational Needs team (BHCC) or an NHS department.
- We may need to share information with the police or our legal advisers if something goes wrong or to help with an inquiry.
- Occasionally we may use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the School properly. We might need to share your child's information with them if this is relevant to their work.
- We sometimes use contractors to handle personal information on our behalf. The following are examples:
  - IT consultants who might access information about your child when checking the security of our IT network; and
  - We use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the school site.

### **Why we share pupil information**

We do not share information about our pupils with anyone without consent unless the law and our policies allow or require 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-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 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, contacting Carly Regan (Business Manager) at [admin@wblatch.brighton-hove.sch.uk](mailto:admin@wblatch.brighton-hove.sch.uk) or the school's Data Protection Officer, James England at [dpo@dataprotection.education](mailto:dpo@dataprotection.education).

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:

- Carly Regan (Business Manager) at [admin@wblatch.brighton-hove.sch.uk](mailto:admin@wblatch.brighton-hove.sch.uk) or on 01273 770777 or;
- James England (Data Protection Officer) at [dpo@dataprotection.education](mailto:dpo@dataprotection.education)