



St. Werburgh's Park Nursery School **Privacy Notice (How we use pupil information)**

A new data privacy law has been introduced in the UK and as a result we're publishing this new Privacy Notice to make it easier to find out how we use and protect your information. We won't be changing the ways we use your personal information, but this new notice will provide you with additional details.

Why do we collect and use pupil information:

The data subject has given consent to the processing of his or her personal data for one or more specific purposes.

Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.

Processing is necessary for compliance with a legal obligation to which the controller is subject.

Processing is necessary in order to protect the vital interests of the data subject or of another natural person.

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;

And under Article 9 of the EU GDPR – Processing of special categories of personal data

Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

Why we collect and use pupil information?

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral and medical care
- to assess the quality of our services
- to comply with the law regarding data sharing
- administer admissions waiting lists
- for research purposes
- for student and teacher training

The categories of pupil information that we collect, hold and share include:

- personal information (such as name, unique pupil number and address).
- any information you give us.
- 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 (such as data scores, tracking and internal and external testing)
- health and medical information (such as allergies, inhaler usage, medication and injuries)
- special educational needs information (such as EHCPs, reports and letters to and from external agencies)
- exclusions/behaviour information (such as number and type of incident and exclusions)
- safeguarding information (such as Child Protection information)
- contact details and preference (contact telephone numbers, email addresses, addresses)
- photographs (for internal safeguarding and security purposes, school newsletters, media, Learning Diaries and promotional purposes)
- CCTV images
- payment details

The lawful basis on which we use this information

We collect and use pupil information under section 537A of the Education Act 1996, section 83 of the Children Act 1989 and The EU General Data Protection Regulation 2016/679 (GDPR) including Article 6 'Lawfulness of processing' and Article 9 'Processing of special categories of personal data'

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

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 time specified in the school's data retention policy.

Who do we share pupil information with?

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- the pupils family and representatives
- educators and examining bodies
- OFSTED
- suppliers and service providers – to enable them to provide the service we have contracted them for
- central and local government
- our local authority
- the Department for Education (DfE)
- NHS, third party providers (such as Health Visitors)
- health and social welfare organisations
- professional advisers and consultants
- charities and voluntary organisations directly relating to the work of the school
- police forces, courts, tribunals
- professional bodies

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 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 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 the school office.

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 School Business Manager or Headteacher.