



Thorpedene Primary School

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# **PRIVACY POLICY (PUPIL/PARENT)**

Reviewed Date: September 2021



## **How We Use Pupil Information**

### **The Lawful Basis On Which We Collect And Use Pupil Information:**

We, **Thorpedene Primary School** are a data controller for the purposes of the Data Protection Act 1998 and the Education Act of 1996. As from May 2018 the General Data Protection Regulation (GDPR) rules will apply and we will follow this legislation, paying particular attention to both Article 6 'Lawfulness of processing' and Article 9 'Processing of special categories of personal data' to collect personal information from you and we may receive information about you from your previous school and the Learning Records Service.

### **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, special educational needs)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- National curriculum assessment results
- Relevant medical information where applicable

### **Why We Collect and Use This Information**

We use the pupil data:

- to support pupil learning
- 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

### **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 (GDPR), 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**

In line with the Retention Schedule we will hold pupil data for up to six years after they leave the school and any subsequent destruction of pupils personal data will be secure and logged appropriately.

### **Who Do We Share Pupil Information With?**

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority

- the Department for Education (DfE)

## **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 the (DfE) under regulation 5 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 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 the 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, please contact the School Administrator.

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 and profiling
- 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
- data portability ( this is a new enhancement to the right of subject access)

## **What Decisions Can You Make About Your Information?**

From May 2018 data protection legislation gives you a number of rights regarding your information. Some of these are new rights whilst others build on your existing rights. Your rights are as follows:

- if information is incorrect you can ask us to correct it
- you can also ask what information we hold about you and be provided with a copy. We will also give you extra information, such as why we use this information about you, where it came from and what types of people we have sent it to
- you can ask us to delete the information that we hold about you in certain circumstances. For example, where we no longer need the information
- you can ask us to send you, or another organisation, certain types of information about you in a format that can be read by computer
- our use of information about you may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy

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 need more information about how the LA and DfE store and use your information, then please go to the following websites: [www.southend.gov.uk](http://www.southend.gov.uk) or

<http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

If you cannot access these websites, please contact the LA or DfE as follows:

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| Data Protection<br>Department for People<br>Southend-on-Sea Borough Council<br>Civic Centre<br>Victoria Avenue<br>Southend, Essex. SS2 6ER<br>Contact number: 01702 215007<br>Email address: <a href="mailto:council@southend.gov.uk">council@southend.gov.uk</a> | Ministerial and Public Comms Division<br>Department for Education<br>Piccadilly Gate<br>Store Street<br>Manchester, M1 2WD<br>Website: <a href="http://www.education.gov.uk">www.education.gov.uk</a><br>Email: <a href="https://www.gov.uk/contact-dfe">https://www.gov.uk/contact-dfe</a><br>Telephone: 0370 000 2288 |
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You can also contact the school directly:

Telephone 01702 582225

Email: [office@thorpedene.secat.co.uk](mailto:office@thorpedene.secat.co.uk)

