**St Mary’s Church of England Primary School**

**Privacy Notice (Pupils)**

**Why do we collect and use pupil information?**

We collect and use pupil information under the EU GDPR (May 2018) and specifically Article 6 where it states:

6(1)(a) – Consent of the data subject

6(1)(c) – Processing is necessary for compliance with a legal obligation

6(1)(e) – Processing is necessary for the effective discharge of a public task

**We use pupil data to:**

* support pupil learning
* monitor and report on pupils’ academic progress and their personal development
* provide appropriate pastoral care
* assess the quality of our services
* comply with the law regarding data sharing

**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)
* Assessment information (such as progress in specific areas of the school’s curriculum)
* Relevant medical information (such as specific medical conditions and allergies)
* Special Education Needs information (such as actions in a specific support plan)
* Behavioural information (such as information relating to exclusions and racist incidents)
* Contact details of parents (name; address; telephone number; email address)

**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. You will need to give active consent for this data to be processed by us. Therefore, in this school, inactivity or silence does not constitute consent.

Data related to parents (e.g. contact details) is collected and retained in order to satisfy the school’s ‘public task’ duty (i.e. in this case to be able to manage the school safely).

**Storing pupil data**

We hold pupil data for the duration of their time at the school. All data is stored securely and in accordance with clear policies and procedures for ensuring data breaches are avoided. Electronic information is held in either secure ‘cloud-based’ solutions or securely on the school’s ICT network while paper-based information is stored in secure locations.

Upon leaving the school, all data related to an individual pupil is securely transferred to their new educational setting either electronically, by personal delivery or using Royal Mail Special Delivery.

Upon leaving the school, all data related to an individual pupil’s parents is destroyed. The responsibility for establishing the legal basis for the collection and processing of this type of data transfers to the new setting.

**Who do we share pupil information with?**

We routinely share pupil information with:

* schools that the pupils attend after leaving us;
* our local authority and departments within it;
* the Department for Education (DfE);
* the NHS and specific employees (e.g. the school nurse);
* the school’s financial support service (e.g. activating access to additional funding for eligible pupils).

**Why do 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.

The school will not share the data of pupils or family members with organisations for the purpose of marketing, advertising goods or services and direct selling.

**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>.

For more information about services for young people, please visit our local authority website ([www.birmingham.gov.uk/schools](http://www.birmingham.gov.uk/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 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 Ruth Price (School Office Manager) in writing. The necessary arrangements for providing this data will then be made within the timeframe specified in the school’s Data Protection Policy.

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 Mr S Smith (Headteacher). This notice should be used in conjunction with the school’s Data Protection Policy, a copy of which is available upon request.