

PADNELL INFANT SCHOOL

BOARD OF GOVERNORS



PRIVACY NOTICE

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| Name of Unit/Premises/Centre/School | Padnell Infant School |
| Date of Policy Review | May 2018 |
| Date of Next Review | May 2021 |
| Name of Headteacher | Mrs Mandy Grayson |

Administration Record

| Issue | Modification | Date |
|-------|-------------------------------------------|-------------|
| 1 | Full Governing Body Approval | 21 May 2018 |
| 1.1 | Full Governing Body Comments Incorporated | 21 May 2018 |
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1 Privacy Notice (How we use personal information)

1.1 Why do we collect and use personal information?

1.1.1 We collect and use personal information:

- To support pupil learning to monitor and report on pupil progress;
- To provide appropriate pastoral care to assess the quality of our services and how well our school is doing;
- Statistical forecasting and planning;
- To comply with the law regarding data sharing;
- To provide communication and updates between school and home and promotion of the school.

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

- Personal information (such as name, unique pupil number and address, photographs);
- 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) and exclusions;
- Assessment information;
- Modes of travel;
- Relevant medical, special educational needs and behavioural information.

1.2.2 The General Data Protection Regulation allows us to collect and use pupil information with consent of the data subject, where we are complying with a legal requirement, where processing is necessary to protect the vital interests of a data subject or another person and where 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. When the personal information is Special Category Information we may rely on processing being in the substantial public interest in addition to consent of the data subject and the vital interests of the data subject or another.

1.2.3 Our requirement for this data and our legal basis for processing this data includes the Education Act 1996, 2002 and 2011, The Childrens Act 1989 and 2004, Education and Skills Act 2008, Schools Standards and Framework Act 1998 and the Equalities Act 2010.

1.2.4 Padnell Infant School collects & uses pupil information for general purpose using one of the lawful basis listed in article 6 for personal data & one of the lawful basis under article 9 where special category data is used. (see Appendix A)

1.3 Collecting personal information

1.3.1 Whilst the majority of personal 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 personal information to us or if you have a choice in this. Where we are using your personal information only on the basis of your permission you may ask us to stop processing this personal information at any time.

1.4 Storing personal data

1.4.1 We hold pupil data for / in accordance with our retention schedule which is for the time that the pupil attends our school with the exception of the School website and any promotional material. Consent will be obtained from parents in relation to any children who have left the school who are continually used in relation to promotional material.

1.5 Who do we share pupil information with?

1.5.1 We routinely share pupil information with:

- Schools that the pupil's attend after leaving us;
- Our local authority;
- The Department for Education (DfE);
- Outside agencies to support pupil learning and statistical planning;
- Outside agencies to support pupil pastoral care;
- Outside agencies for communication between school and home.

1.6 Why we share pupil information

- 1.6.1 We do not share personal information with anyone without consent unless the law and our policies allow us to do so.
- 1.6.2 We share pupils' data with the DfE on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.
- 1.6.3 We are required to share information about our pupils with our local authority (LA) and the DfE under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

1.7 Data collection requirements:

- 1.7.1 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>.

1.8 The National Pupil Database (NPD)

- 1.8.1 The National Pupil Database (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.
- 1.8.2 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.
- 1.8.3 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>.
- 1.8.4 To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.
- 1.8.5 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.
- 1.8.6 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.
- 1.8.7 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.
- 1.8.8 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>.
- 1.8.9 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>.
- 1.8.10 To contact DfE: <https://www.gov.uk/contact-dfe>

1.9 Requesting access to your personal data

- 1.9.1 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 Mrs Elaine Blackham.
- 1.9.2 You also have the right, subject to some limitations 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.

1.9.3 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/>

1.10 Contact:

1.10.1 If you would like to discuss anything in this privacy notice, please contact:

Elaine Blackham
Padnell Infant School
Padnell Avenue
Cowplain
Waterlooville
Hants
PO8 8DS
023 9226 3784
Email: adminoffice@padnell-inf.hants.sch.uk

2 Appendix A - What are the lawful bases for processing?

2.1 Article 6 – Personal Data

- 2.1.1 The lawful bases for processing are set out in Article 6 of the GDPR. At least one of these must apply whenever you process personal data:
- a. **Consent:** the individual has given clear consent for you to process their personal data for a specific purpose;
 - b. **Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract;
 - c. **Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations);
 - d. **Vital interests:** the processing is necessary to protect someone's life;
 - e. **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law;
 - f. **Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)
- 2.1.2 Special category data is personal data which the GDPR says is more sensitive, and so needs more protection.
- 2.1.3 In order to lawfully process special category data, you must identify both a lawful basis under Article 6 above and a separate condition for processing special category data under Article 9. These do not have to be linked.

Article 9 – Special Category Data

- 2.1.4 Explicit consent to the processing of those personal data for one or more specified purposes:
- a. 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;

- b. Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- c. Processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim;
- d. Processing relates to personal data which are manifestly made public by the data subject;
- e. Processing is necessary for the establishment, exercise or defence of legal claims;
- f. Processing is necessary for reasons of substantial public interest,
- g. Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee;
- h. Processing is necessary for reasons of public interest;
- i. Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.