



## Privacy Notice: How we use pupil information

Denton CP School & Nursery processes personal information about its pupils and is a 'data controller' for the purposes of Data Protection legislation. We collect information from you and may receive information about your child from their previous school.

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

- Personal information about the child such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language and free school meal eligibility)
- Personal information about the child's parents/s or carer/s (such as name and contact details in order to contact you about your child)
- Attendance information (such as sessions attended, number of absences and absence reasons) and any previous schools attended)
- Assessment information – assessment and attainment (such as Key stage 1 and Phonics results)
- Safeguarding information (such as court orders and professional involvement)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Special educational needs including the needs and ranking
- Behavioural information – behavioural information (such as exclusions and any relevant alternative provision put in place)
- Images such as in photographs and CCTV footage.

### Why we collect and use this information

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to keep children safe (food allergies or emergency contact details)
- to assess the quality of our services

- to meet the statutory duties placed upon us
- to ensure children have appropriate access to healthcare

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

Under the General Data Protection Regulation (GDPR) 2018, the school is required to identify a valid lawful basis for each processing activity involving personal data. We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We have to collect and process personal data to enable us to comply with a legal obligation.
- We need it because we are acting in the public interest or exercising our official authority.

We may also process pupils' personal data in situations where:

- We have obtained consent from you to use it in a certain way.
- We have a genuine and legitimate reason and we are not harming any of your rights and interests.

As a school, we also collect and use special category data, both to provide education and comply with our legal obligations. We have therefore identified additional lawful bases from Article 9 of the GDPR. Most commonly, we process special category data where:

- We have gain explicit consent for the processing
- processing is necessary for the reasons of substantial public interest
- We are required to for reasons of "public health", for example during a pandemic.

Please see the school's special category data policy for more information about how we process this type of information. This policy can be found on the school website at [www.dentonprimaryschool.co.uk](http://www.dentonprimaryschool.co.uk)

## **How we collect pupil information**

We collect pupil information via pupil admission forms or via Common Transfer File (CTF) from a previous school and termly and yearly data collection form checks.

Pupil data is essential for the schools' operational use. 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 on our school information management system in line with our retention schedule. The school retention schedule is available from the Headteacher or the School Business Manager.

## Who we share pupil information with

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- School Nurse/NHS/Educational Psychiatrist
- Learning platforms or software providers used by the school to support educational provision.
- Traded services purchased through the LA.

We only share data with organisations who have adequate security measures and protections in place.

## Why we regularly share pupil information

We do not share information about our pupils without consent unless the law and our policies allow us to do so.

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections.

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 LA may share limited information with the NHS to provide appropriate health care services.

For more information, please see the 'How Government uses your data' section below.

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- The Schools Admission Code, including conducting Fair Access Panels.

## 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 headteacher, either directly or via the school office.

Depending on the lawful basis above, you may also have the right to:

- Be informed about the collection and use of your personal data
- Object to processing of personal data that is likely to cause, or is causing, damage or distress
- ask us for access to information about you that we hold.
- request we restrict the processing of your personal data (i.e permitting its storage but no further processing).
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics.
- Request for your personal data to be rectified, if it is inaccurate or incomplete
- Request the deletion or removal of your personal data where there is no compelling reason for its continued processing
- not be subject to decisions based purely on automated processing where it produces legal or similarly significant effect on you.
- A right to seek redress, either through the ICO, or through the courts.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply

- The right to erasure does not apply when the lawful basis for processing is a legal obligation or public task
- The right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interest
- The right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you do not have the right to object, but you have the right to withdraw consent.

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/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section.

## **Withdrawal of consent and the right to lodge a complaint**

Where we are processing personal data with your consent (for example, publishing photographs of your child) you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the school office. You may also contact the Headteacher directly if you wish.

## Data Protection Officer

The school's Data Protection Officer is provided by East Sussex County Council; Peter Questier (East Sussex County Council, Information Governance Team, Children's Services)

However, please contact the school in the first instance if you have a query regarding this privacy notice or how your information is used.

## The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

## Sharing by the Department

The law allows the Department to share information about our pupils from the NPD with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the department's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime.

For information about which organisations the department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with home Office and the Police please visit the following website

<https://www.gov.uk/government/publications/dfе-external-data-shares>

## How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)
- Monitors pupil progress, admissions and attendance. As of August 2024, attendance data is collected by the DfE from schools on a daily basis. This is a statutory requirement under The School Attendance (Pupil Registration) (England) Regulations 2024. Child level data will be shared back with the school and the Local Authority. This sharing is to help them identify any potential issues with attendance and if needed, enable timely support to help children stay in school.

## 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>

## How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its sources

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>

## Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 1<sup>st</sup> October 2024.