

Privacy Notice

(How we use pupil information)

Eagle Community Primary School is the data controller of the personal information you provide to us. This means the school determines the purpose for which, and the manner in which, any personal data relating to pupils and their families is processed.

In some cases, your data may be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires you to share your data. The same data protection standards are imposed on such a processor.

Joe Lee is the Data Protection Officer for Eagle Community Primary School. His job is to oversee and monitor the school's data protection procedures and to ensure they are compliant with GDPR (General Data Protection Regulations). He can be contacted on Joe.Lee@ark.me.uk or 01775 720252.

The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Personal information (e.g. name, unique pupil number and address)
- Characteristics (e.g. ethnicity/language/nationality/country of birth/free school meal eligibility)
- Attendance information (e.g. sessions attended, number of absences and absence reasons)
- Assessment information (e.g. test scores and end of key stage data)
- Medical information (e.g. medical conditions, allergies and medications)
- SEND information (e.g. reports from agencies and plans for individual children)
- Behavioural information (e.g. exclusion details)
- Pupil and curricular records (e.g. personal file)
- Safeguarding information (e.g. referrals)
- Photographs (e.g. newsletters/publicity)

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

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.

Why we collect and use this information?

Eagle Community Primary School holds the legal right to collect and use personal data relating to pupils and their families and we may also receive information regarding them from their previous school, LA and/or the DFE. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Article 6 and 9 of the GDPR
- Education Act 1996
- Regulation 5 of The Education (information about individual pupils) England Regulations 2013

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to protect welfare
- to assess the quality of our services
- to administer admissions
- to comply with the law regarding data sharing
- to carry out research
- to safeguard our pupils

Our legal basis for using this data

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

Storing pupil data

Personal data relating to pupils at Eagle Community Primary School and their families is stored in line with the school's GDPR Data Protection Policy.

We are required to retain personal data only for as long as is necessary to complete the task for which it was originally collected, after which it will be securely destroyed.

Retention periods can vary and will depend on various criteria including the purpose of processing, regulatory and legal requirements and internal organisational need. Retention periods are defined within the school retention guidelines which can be found at:

<https://www.lincolnshire.gov.uk/testing/information-assurance/records-management/132433.article>

Data sharing

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so. Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Our Local Authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- The pupil's family and representatives
- Educators and examining bodies
- Our regulator, Ofsted
- Suppliers and service providers – to enable them to provide a contracted service
- Central and local government
- Our auditors
- Health authorities
- Health and social welfare organisations
- Professional advisers and consultants
- Police forces, courts, tribunals
- Professional bodies
- Schools that the pupil's attend after leaving us
- Other outside agencies

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 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 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>

Parents and pupils' rights regarding personal data

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent. Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our data protection officer.

Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact us or our Data Protection Officer:

- Hayley Adams – Head Teacher
- Dawn McCutcheon – School Business Manager
- Joe Lee – Data Protection Officer

