

# Privacy Notice (How we use pupil information)

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils**.

We, Moorside Community Primary School, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Safeguarding Monitor (Impero)

## The categories of pupil information that we process include

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

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Photographs

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

For a further example of the information typically held by schools, please see the Department for Education (DfE) Common Basic Data Set, here:

<https://www.gov.uk/government/publications/common-basic-data-set-cbds-database>

## Why we collect and use pupil information

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

We collect and use pupil information, for the following purposes:

- to support pupil learning
- to monitor and report on pupil attainment and 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 by the Department for Education
- to comply with the law regarding data sharing

## Our legal basis for using this data

We must make sure that information we collect and use about pupils is in line with the GDPR and Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual we must have a legal basis to do so.

The lawful basis for schools to collect information comes from a variety of sources, such as the Education Act 1996, Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013, Article 6 and Article 9 of the GDPR.

The Department for Education and Local Authority require us to collect certain information and report back to them. This is called a 'public task' and is recognised in law as it is necessary to provide the information.

We also have obligations to collect data about children who are at risk of suffering harm, and to share that with other agencies who have a responsibility to safeguard children, such as the police and social care.

We also share information about pupils who may need or have an Education Health and Care Plan. Medical teams have access to some information about pupils, either by agreement or because the law says we must share that information, for example school nurses may visit the school.

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.

## Collecting pupil information

We collect pupil information via registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from a previous school, permission slips for visits/events, medical treatment and care plans, medication forms and residential trips.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

If you provide us with contact details of others, for example, in case of emergency, or when you may not be available. Please ensure that they are aware their information has been passed to the school.

We will also receive the above types of personal information, where relevant, from the previous school and may receive information from the Local Authority (LA) and the DfE.

## Storing pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and data protection policy please visit [www.Moorsideprimary.net](http://www.Moorsideprimary.net)

## Who we share pupil information with

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 – to meet our legal obligations and as it is necessary for the performance of a task carried out in the public interest and in the exercise of authority
- The pupil's family and representatives - to meet our legal obligations to share certain information with them, such as safeguarding concerns and exclusions
- Police forces, courts, tribunals – necessary for compliance with a legal obligation
- Educators and examining bodies - to meet our legal obligations and as it is necessary for the performance of a task carried out in the public interest and in the exercise of authority
- Our regulator e.g. Ofsted – to meet our legal obligations and as it is necessary for the performance of a task carried out in the public interest and in the exercise of authority
- Suppliers and service providers – to enable them to provide the service we have contracted them for

- Our auditors – necessary for compliance with a legal obligation
- External survey and research organisations – with parents/carers consent
- Health authorities – necessary for compliance with a legal obligation, such as safeguarding. In other cases the health professional seeks consent through the school
- Professional advisers and consultants – necessary for the performance of a contract
- Professional bodies – necessary for the performance of a contract

## Why we regularly 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.

## 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 Moorside Community Primary School.

Depending on the lawful basis above, you may 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
- a right to seek redress, either through the ICO, or through the courts

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively you can contact the Information Commissioner's at <https://ico.org.uk/concerns/>

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

Where we are processing your personal data with your consent, 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 [Moorside.primaryschool@salford.gov.uk](mailto:Moorside.primaryschool@salford.gov.uk)

## More information about Data Protection and our Policies

How we manage the data and our responsibilities to look after and share data is explained in our Data Protection policy and connected policies which are also available on our website.

## 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)

## 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)

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.

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>

## Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- 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. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

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 to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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 source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'.

Further information on how to do this can be found within the Department's 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 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 in February 2021.

If you would like to discuss anything in this privacy notice, please contact [Moorside.primaryschool@salford.gov.uk](mailto:Moorside.primaryschool@salford.gov.uk)