



John Wilkinson Primary School and Nursery

Privacy Notice - Pupils

Privacy Notice (How we use pupil information)

1. 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
- Relevant medical information
- Special educational needs information
- Exclusions/behavioural information

2. Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

3. The lawful basis on which we use this information

We collect and use personal information in order to meet our legal obligations and legitimate interests set out in GDPR and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- The Education (Information About Individual Pupils) (England) Regulations 2013.

Article 6 (1)(c) provides a lawful basis for processing where “processing is necessary with a legal obligation to which the controller is subject”.

Article 6 (1)(f) gives a lawful basis for processing where “processing is necessary for the legitimate interests pursued by the controller or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child”.

Article 9 (2)(b) states that “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 in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject”

Article 9 (2)(d) outlines that “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 and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects”

To find out more about the data collection requirements placed on us by the Department for Education go to <https://www.gov.uk/guidance/complete-the-school-census/statutory-requirement-data-sharing-and-regulations>

4. Collecting pupil information

Whilst the majority of pupil information provided 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, the school will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

5. Storing pupil information

We hold pupil information for varied amounts of time.

- Personal information (such as name, unique pupil number and address) is retained whilst the child remains in school + 1 year
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility) – is retained whilst the child remains in school + 1 year
- Attendance information (such as sessions attended, number of absences and absence reasons) – is retained for 3 years after entry was made
- Assessment information – This is transferred to the next school; Copies are held whilst pupil is at school plus 6 years (if named) - copies with personal data removed can be held for 25 years after the pupil's date of birth
- Relevant medical information - whilst child remains in school + 1 year.
- Special educational needs information – passed on to the receiving school; to be retained until child's 25th birthday (by the last school they attend)

6. Exclusions/behavioural information – passed on to receiving school. Permanent/fixed term - DOB + 25 years

Who we share pupil information with

We routinely share pupil information with:

- Schools that the pupils' attend after leaving us
- Shropshire Council
- The Department for Education. This statutory data sharing underpins school funding and educational attainment policy and monitoring; (further information is available via <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>).
- Executive Government Agencies of the DfE including;
 - the Standards and Testing Agency (STA)
 - Ofsted
 - Education and Skills Funding Agency
 - Organisations that require access to data in the Learner Record Service
 - The National Pupil Database (managed by the DfE). Robust processes are in place to ensure confidentiality of data is maintained (further information is available via <https://www.gov.uk/government/publications/national-pupil-data-base-user-guide-and-supporting-information>.)
- The Department of Health; Local Trusts include
 - Shropshire Community Health NHS Trust
 - South Staffordshire and Shropshire Healthcare NHS Foundation Trust
 - Shrewsbury and Telford Hospital NHS Trust
- Health & Safety Executive (HSE)
- Shropshire Council may share information about individuals where this is likely to enable a beneficial intervention from the other public sector agencies.

- Third party processors who require access to our information management system to carry out their agreed role with regards to pupil assessment and payment for services provided by school.

7. 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 the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

8. 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 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 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>

9. 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;

Mrs Stephanie Beard (Acting Headteacher)
01952 882950
admin@johnwilkinson.shropshire.sch.uk

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, 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/>

Contact

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DPO

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