

Privacy Notice (How we use pupil information)

How we use parent and pupil information

Data protection legislation gives parents the right to be informed about what personal data is held on them, how that data is used, who it is shared with and how long it is retained. This privacy notice provides this information, in general terms, in relation to information held on parents and pupils, as well as the lawful basis under which it is collected and retained.

If after reading this notice you have any questions relating to the data we hold or how we use it, please contact our Data Protection Officer, whose contact details are listed at the end of this notice.

Lympstone Church of England Primary School is the Data Controller in charge of the data.

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)
- Safeguarding information
- Assessment information (End of Key Stage results, progress data and end of year data)
- Special Educational Needs information
- Health / Medical information (such as allergies, illnesses, disabilities, administering of medication and recording of accidents)
- Exclusions / behavioural information
- Pupil / parent consent information (such as photographs/images and trips)

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

The lawful basis on which we use this information

We collect and use pupil information for data collection purposes (Departmental Censuses) under the Education Act 1996.

Processing is only lawful if you have a lawful basis under Article 6. Lympstone C of E Primary School process information under **Public task**: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law.

Less often, we may also process parents' or pupils' personal data in situations where:

- We have obtained the data subject's consent to use it in a certain way.
- We need to protect someone's vital interests.
- Processing is necessary to comply with our legal obligations.

Where we have obtained consent to use 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 parents' or pupils' personal data may overlap and there may be several grounds which justify our use of particular personal data.

Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

In line with Article 9, this statement will not apply if the following applies:

the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject.

Collecting pupil information

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 until the pupil leaves our school or for 25 years. Retention timescales are in line with Devon County Council requirements.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupil's attend after leaving us

- our local authority
- the Department for Education (DfE)
- School Nurse
- Education Welfare Service
- School Pupil Tracker
- Parentmail
- Primary Sports & Education
- Primary Music
- Sporty Stars

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>

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 school office, 01395 266580 or admin@lympstone-primary.devon.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 our Data Protection Officer whose contact details are listed at the end of this notice or the Information Commissioner's Office at <https://ico.org.uk/concerns>.

Contact

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

the school office on 01395 266580 or admin@lympstone-primary.devon.sch.uk

or our Data Protection Officer (DPO):

Alvin Scott (DPO)
Coplestone Primary School
Bewsley Hill
Coplestone
Crediton
Devon
EX17 5NX

Email: dpo@devonmoorsfederation.devon.sch.uk