

# Middle Street Primary

# Data Privacy Notice

**[Version 2018 v1.0]**

If you are reading a printed version of this document you should check the Information Management pages on [www.middlestreet.brighton-hove.sch.uk](http://www.middlestreet.brighton-hove.sch.uk) to ensure that you have the most up-to-date version.

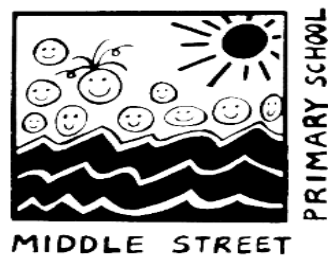
If you would like to discuss anything in this privacy notice, please contact:

Data Protection Officer: **Data Protection Education**

Telephone: 0800 0862018

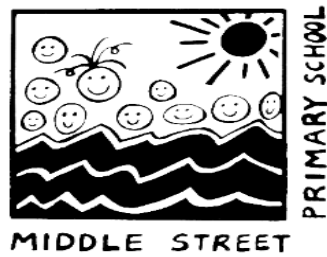
Email: [dpo@dataprotection.education](mailto:dpo@dataprotection.education)

If you would like a copy of any documentation please contact the school office: **01273 323184**



***Document version control***

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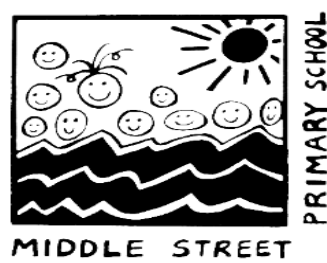
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# How we use pupil information

## 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 and education records;
- Special Educational Needs information;
- Behavioural information (such as, achievements, exclusions, internal exclusions and detentions);
- Health and medical information (such as dietary requirement and medication details);
- Safeguarding and Child Protection reports and disclosures;
- Photographs and video clips.

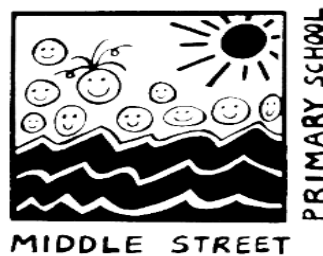
## Why we collect and use this information

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 keep children safe (food allergies or emergency contact details);
- to comply with the law regarding data sharing.

## The lawful basis on which we use this information

For general purposes:



- We collect and use pupil information under a task performed in the public interest where it relates to a child's educational progression;
- Some photographs and videos are used only after gaining explicit consent;
- Where medical data is being processed, this is processed under a legal obligation (Children and Families Act 2014 which includes a duty on schools to support children with medical conditions);
- Safeguarding data is processed under the legal obligation of The Education Act 2002. Sections 21 and 175 detail how governing bodies of schools must promote the wellbeing of pupils and take a view to the safeguarding of children at the school.

Where data processed is special category data as well as the lawful bases above we process data under the additional conditions below:

- Children and Families Act 2014 includes a duty on schools to support children with medical conditions;
- The Equality Act 2010 (England, Scotland and Wales) requires us to make reasonable adjustments to ensure that children and young people with a disability are not put at a substantial disadvantage compared with their peers;
- The Education Act 2002, Sections 21 and 175 details how governing bodies of schools must promote the wellbeing of pupils and take a view to the safeguarding of children at the school;
- Section 3 of the Children Act 1989 places a duty on a person with the care of a child to do all that is reasonable in the circumstances for the purposes of safeguarding the child;
- Education Act 1996, relating to attendance at school;
- Education Act 1996, relating to data collection purposes (departmental censuses).

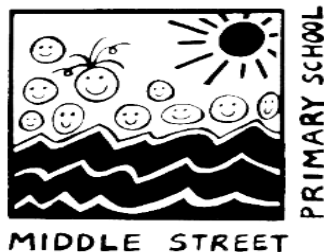
## Collecting pupil information

Whilst most of the 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 use the Information Management Toolkit for Schools which has been created to assist schools to manage their information in line with the current legislative frameworks. To find out more go to:

<http://irms.org.uk/page/SchoolsToolkit>



## 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).
- Ofsted
- Suppliers and service providers
- Health authorities
- Police forces, courts, tribunals
- Professional advisors and consultants
- Our PTA

## 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.

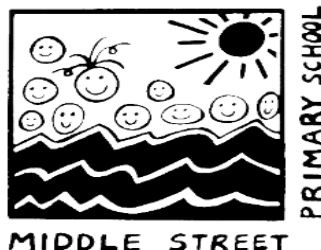
We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

## 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.

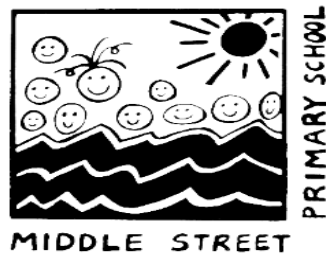
For more information about the department's data sharing process, please visit:

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

For information about which organisations the department has provided pupil information to, (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>



# How we use school workforce information

The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, employee or teacher number, national insurance number);
- address, contact numbers and next of kin information;
- bank details;
- special categories of data including characteristics information such as gender, age, ethnic group;
- contract information (such as start dates, hours worked, post, roles and salary information);
- right to work information;
- work absence information (such as number of absences and reasons);
- qualifications (and, where relevant, subjects taught);
- medical information;
- photographic records.

## Why we collect and use this information

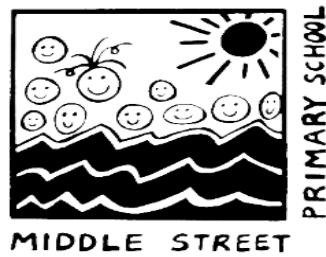
We use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed;
- inform the development of recruitment and retention policies;
- enable individuals to be paid.

## The lawful basis on which we process this information

Under the General Data Protection Regulation (GDPR), the legal basis we rely on for processing personal information for general purposes is:





- We collect and use school workforce information under a task performed in the public interest or in the exercise of official authority vested in the controller;

Where data processed is special category data as well as the lawful basis above we process data under the additional condition below:

- For data collection purposes (departmental censuses) where provisions of The Education Act 1996 will be followed.

## Collecting this information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

## Storing this information

We hold school workforce data as documented in our Retention Schedule, which can be requested by contacting the school office.

## Who we share this information with

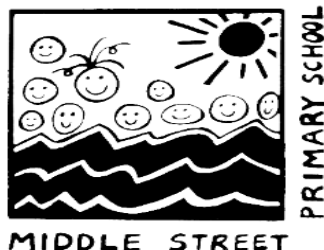
We routinely share this information with:

- our local authority;
- the Department for Education (DfE);
- Third-party service providers (where a contract exists) in order to fulfil contractual obligations (such as payroll) or where a service is being used in the operations of the school (such as parent communication applications).

## Why we share school workforce information

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

### Local authority



We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

### **Department for Education (DfE).**

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Data collection requirements:

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005.

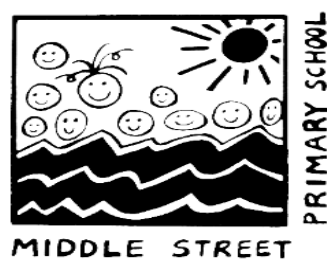
To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis;
- producing statistics;
- providing information, advice or guidance.

The department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal 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 securely store and handle the data.

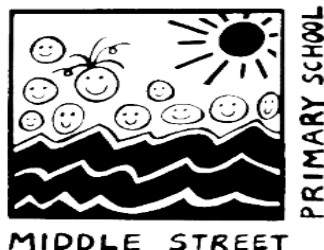


To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

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>

To contact the department: <https://www.gov.uk/contact-dfe>



# Other information we collect and hold

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

- Parents' and carers information (such as name, address, contact information, relationship to the child, involvement with volunteer groups or parents association);
- Visitor information (such as name, business, car registration, DBS certification, purpose of visit);
- Governors' information (such as name, address, contact information, business interests, financial interests and governance roles in other schools);
- Volunteers' information (such as name, address, contact information, DBS certification).

## Why we collect and use this information

Parents information is collected so that:

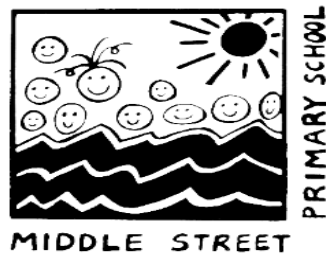
- We can communicate with you about your child (in relation to things such as education and attainment, health and well-being, attendance and behaviour);
- Send you important information about the school;
- Provide you with access to tools and services we use in schools (such as parent payment systems, communication applications).

Visitor information is collected so that:

- We have a record of who is and has been in the building, for health, safety and operational purposes;
- We know whether a visitor can be unaccompanied in areas where children are present;
- We have a record of official visits (such as inspections or maintenance).

Governors' information is collected so that:

- We can communicate with Governors on school business;
- There is a public record of Governors and their business interests.



## The lawful basis on which we use this information

- Parental information is processed in the public interest where it is related to their child's education. We may have a legal obligation to process data in certain processing activities and in some circumstances we will rely on consent as the lawful basis;
- Visitor information is processed as a task in the public interest where it relates to school operations and under a legal obligation where it relates to health and safety;
- Governor information is processed as a task in the public interest.

## Collecting this information

- **Parents:** whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this;
- **Visitors:** As a visitor the information that you provide to us is voluntary. However, we may restrict access to the school if the information is not provided;
- **Governors:** whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

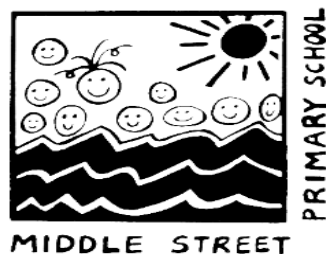
## Storing this information

We hold school workforce data as documented in our Retention Schedule, which can be requested by contacting the school office.

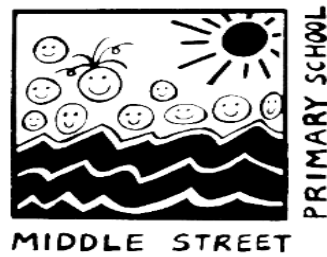
## Who we share this information with

We routinely share this information with:

- **Parents:** we will share your information with members of staff, other agencies and, where you have agreed, with third-party processors who provide services to the school;
- **Visitors:** your information will not be shared unless requested by an external agency in the course of a health and safety incident or in the investigation of a crime;



- **Governors:** we will publish the names, business interests, financial interests and governance roles of governors in other schools on the school website.



# Requesting access to your personal data

Under data protection legislation, you have the right to request access to information that we hold about you. To make a request for your personal information, contact the data protection officer whose contact details are at the top of this notice.

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 ask 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/>