

St Peter's Community Primary School

Privacy Notice

(How we use pupil and parent information)

St Peter's Primary School is the data controller of information you provide to us and recognises its obligations of handling all such information in line with the Data Protection Act 2018 (DPA) and the General Data Protection Regulation (GDPR). This Notice sets out how and why we collect your information and what we do with it. We will update it from time to time as required by evolving laws, guidance and practice, informing you directly as far as is reasonably practicable of any substantial changes that affect your rights.

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

Data Protection Officer: **James England**

Telephone: 0800 0862018

Email: dpo@dataprotection.education

If you would like a copy of any documentation please contact the school office.

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

- Personal information, such as names, addresses, unique pupil numbers and telephone numbers
- Characteristics such as ethnicity, language, nationality, country of birth and free school meal eligibility
- Medical and administration (such as doctors information, allergies, medication and dietary requirements)
- Attendance information (such as sessions attended, number of absences, absence reasons and exclusions)
- Assessment and attainment (such as key stage 1 and 2 data and phonics results)
- Safeguarding and Child Protection information
- Special educational needs (including the needs and ranking)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Correspondence with and concerning staff, pupils and parents past and present
- Images of pupils (and occasionally other individuals) engaging in school activities, and images captured by the school's CCTV system (in accordance with the school's policy on taking, storing and using images of children).

Why we collect and use this information

In order to carry out our ordinary duties to staff, pupils and parents, we need to process a wide range of personal data about individuals (including current, past and prospective pupils, parents,

staff, contractors, student teachers and volunteers) as part of our daily operations. Some of this activity we need to carry out in order to fulfil our legal rights, duties or obligations – including those under a contract with staff or parents of pupils.

A general overview of why we use this pupil data is:

- 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 and safeguarding children

More detailed purposes for use are described below:

- To meet our requirements 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.
- To provide educational and recreational services including, for example, musical education and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- maintaining relationships with alumni and the school community, including direct marketing or fundraising activity;
- to enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- for the purposes of financial transactions and reporting such as the payment of fees, etc;
- To enable schools to share data, which underpins school funding and educational attainment policy and monitoring;
- to give and receive information and references about past, current and prospective pupils, including relating to outstanding fees or payment history, to/from any educational institution that the pupil attended or where it is proposed they attend;
- to enable pupils to take part in national or other assessments, and to publish the results of public examinations or other achievements of pupils of the school;
- to safeguard pupils' welfare and provide appropriate pastoral care, including to help children settle into the school;
- to monitor and assist (as appropriate) use of the school's IT and communications systems;
- to make use of photographic images of pupils in school publications, on the school website and (where appropriate) and on social media channels in accordance with the school's policy on taking, storing and using images of children;
- for security purposes, including CCTV;
- to carry out or cooperate with any school or external complaints, disciplinary or investigation process; and
- where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

In addition, we will on occasion need to process special category personal data (concerning health, ethnicity, religion and biometrics) in accordance with rights or duties imposed on it by law, including as regards safeguarding, or from time to time by explicit consent where required. These reasons will include:

- to safeguard pupils' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of school trips who need to be made aware of dietary or medical needs;
- to provide educational services in the context of any special educational needs of a pupil;
- to provide spiritual education in the context of any religious beliefs;
- as part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements; or
- for legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

The lawful basis on which we use this information

We process this information when there is a legal basis or when explicit consent has been obtained, such as:

- when necessary to carry out tasks in the school's or its community's public or legitimate interests (such as recording and sharing pupil information as part of the operation of the school curriculum and education of pupils)
- 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 - this 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.

Other uses of personal data will be made in accordance with the school's public interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data. We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

Collecting pupil information

How do we collect data?

We obtain pupil information via registration forms at the start of each academic year. In addition, when a child joins us from another school we are sent a secure file containing relevant information.

Pupil data is essential for the schools' operational use. 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 GDPR 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.

Storing pupil data

We hold pupil data securely in school for the duration of a pupil's time at St Peter's Community Primary School. Data is then transferred to their next school upon leaving or to the Local Authority if the destination is unknown. The retention period for pupil records is Date of Birth of pupil + 25 years. We follow the DfE Data Protection Toolkit for Schools guidance on the retention of records.

Who do we share pupil/staff information with?

We routinely share pupil information with:

Schools that pupils attend after leaving us
Our local authority
The Department for Education (DfE)
Our local authority School Meals team and their contractor (currently Caterlink)
Testbase (assessment resources /optional SATS papers)
Front Door for Families (Children's Services)
School Nurse team and other NHS partners (as relevant to pupil medical needs)
Parentpay (collecting payments from parents for pupil activities)
Capita (SIMS pupil record database)
Teachers 2 Parents (text, e-mail and online parents evening booking systems)
Edukey (Provision Map toolkit)
Meritec (our CPOMS Child Protection and Safeguarding management system)
Pupil names for the creation of pupil log-ins for curriculum resources: Phonics Play, 2Simple software, Junior Librarian
School Counsellor Service
FOSPs (Friends of St Peter's) Parent Teacher Association – pupil names and year groups only as needed during PTA event organisation

Occasionally, we will need to share personal information relating to the school's community with other third parties, such as:

service providers (e.g. peripatetic instructors, after school club providers etc.);
professional advisers (e.g. lawyers, insurers, accountants, etc.);
government authorities (e.g. HMRC, police or the local authority);
appropriate regulatory bodies such as the Independent Schools Inspectorate or the Information Commissioner's Office (ICO);

For the most part, personal data collected by us will remain within the school, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). Particularly strict rules of access apply in the context of medical records and safeguarding files. However, a certain amount of any SEND pupil's relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires.

Staff, pupils and parents are reminded that the school is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education) to record or report incidents and concerns that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This is likely to include file notes on

personnel or safeguarding files, and in some cases referrals to relevant authorities such as the Local Authority Designated Officer (LADO) or police. For further information about this, please view the school's Safeguarding Policy.

Importantly, some of the school's processing activity is carried out on its behalf by third parties, such as IT systems, web developers or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with the school's specific directions.

Why we share data

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, under:

- Section 537A of the Education Act 1996
- the Education Act 1996 s29(3)
- the Education (School Performance Information)(England) Regulations 2007
- regulations 5 and 8 School Information (England) Regulations 2008
- the Education (Pupil Registration) (England) (Amendment) Regulations 2013

All data is transferred securely and held by the DfE under a combination of software and hardware controls, which meet the current government security policy framework.

For more information, please visit: <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>

Parental Information that we hold:

We also hold and share information about parents and carers. Examples of this include:

- Basic personal information such as name, address, contact details
- Other personal information such relationship to the child, involvement with volunteer groups, parents association
- National Insurance numbers (required by the Local Authority)
- Other external agencies such as Front Door for Families, Family Support Workers, School Nurse teams etc);
- Bank details and other financial information if required eg parent bank details for direct school payments (such as Nursery full time spaces if not eligible for 30 hours)

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).

The lawful basis on which we use this parental 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.

Collecting this information from 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.

Storing this information

We follow the DfE Data Protection Toolkit for Schools guidance on the retention of records.

Who we share this information with

We routinely share your information with members of staff, other agencies and, where you have agreed, with third-party processors who provide services to the school. We share information with other third parties as a necessary part of our requirement to carry out tasks in the public interest.

Where information is requested by other agencies or third parties that does not fall within this legal basis, we will only process the data where another lawful basis applies.

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 school office or the data protection officer whose contact details are on the first page of this notice, and ask for a Subject Access Request form.

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
- 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/>

Further information

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

School Business Manager: office@stpeters.brighton-hove.sch.uk (in the first instance)

OR

Data Protection Officer: **James England**

Telephone: 0800 0862018

Email: dpo@dataprotection.education

Our Local Authority: Brighton and Hove Council - <https://www.brighton-hove.gov.uk/>

If you would like a copy of any documentation please contact the school office.