

## **Privacy Notice for pupils and their families**

Holy Rosary Catholic Primary School holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the General Data Protection Regulations and UK law.

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

- Personal information (such as name, address, date of birth, unique pupil number)
- 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)
- SEN information
- Relevant medical information
- National Curriculum Assessments/results
- Individual assessment data
- Exclusion/behaviour information
- Photographs (eg from trips/sports events used on displays, website etc)
- School pupil attended or where they attend after they leave us

### **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
- to safeguard pupils

### **The lawful basis on which we use this information**

We collect and use pupil information under section 537A of the Education Act 1996 and section 83 of the Children Act 1989, to comply with Article 6(1)(c) and Article 9(2)(b) of the General Data Protection Regulation (GDPR).

The Information Commissioners Office's lawful basis for processing are set out in Article 6 of the GDPR. At least one of these must apply whenever you process personal data:-

**Consent** – the individual has given clear consent for you to process their personal data for a specific purpose.

**Contract** – the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contact.

**Legal obligation** – the processing is necessary for you to comply with the law (not including contractual obligations)

**Vital interests** – the processing is necessary to protect someone's life

**Public task** – the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law

**Legitimate interests** – the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

We also collect and use pupil data under Article 9 of EU GDPR for data collection purposes which is required under the Education Act 1996, such as the child's racial or ethnic origin, and religious beliefs.

## **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**

Personal data relating to pupils at Holy Rosary and their families is stored in line with the school's GDPR Data Protection Policy.

In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task the data was collected for originally.

## **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)
- teachers and staff within school
- governors of the school – whilst we share information with governors on the whole this is all anonymised
- Ofsted
- your family and representatives
- educators and examining bodies

- relevant NHS staff including the school nurse, Physiotherapists, Occupational Therapists, CAHMS etc.
- Police forces, courts, tribunals
- Suppliers and service providers, so that they can provide the services we have contracted them for, eg RM Maths, Abacus, SPAG.com, Ascentis, BSquared, Purple Mash, Times Tables Rockstars, Impero.

## **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, please contact the school.

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**

If you would like to discuss anything in this privacy notice, please contact the school on 0151 288 6206.