

# Privacy Notice (How we use pupil information)

Sudbourne Primary School is the data controller of the personal information you give us, this means the school decides how any personal data relating to pupils and their families is to be processed.

In some cases, your data will be shared with a third party processor; however, this will only be done with your consent, unless the law requires the school to share your data (Article 6). Where the school shares data to a third party processor, the same data protection standards that Sudbourne Primary School upholds are imposed on the processor.

Sudbourne Primary School is committed to protecting the privacy and security of your personal information, this privacy notice describes how we use personal information that we collect.

## Why do we collect and use your information?

Sudbourne Primary School holds the legal right to collect and use personal data in order to meet legal requirements and public interests set out in the UK GDPR and UK law, including those in relation to the following:

- Article 6 and Article 9 of the UK GDPR
- Education Act 1996
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013
- Data Protection Act 2018

We will only collect your information when we have a good reason to do so in line with the law – this is known as having a lawful basis to use data. Here are the reasons we collect your information:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us for the Department for Education (DfE) data collections

## The categories of pupil information that we process include:

The categories of personal information that we process include the following:

- **Personal identifiers and contacts** – e.g. name, unique pupil number, contact details and address
- **Characteristics** – e.g. ethnicity, language and eligibility for free school meals
- **Safeguarding information** – e.g. court orders and professional involvement
- **Special educational needs and disabilities (SEND) information** – e.g. any additional needs
- **Medical and administration** – e.g. doctors' information, general health, dental health, allergies, medication and dietary requirements
- **Attendance** – e.g. sessions attended, number of absences, reasons for absences and any previous schools you have attended
- **Assessment and attainment** – e.g. any relevant test and exam results
- **Behavioural information** – e.g. exclusions and any relevant alternative provision put in place

- **Other** - for example; trips and activities, catering and free school meal management

## Collecting pupil information

We collect pupil information via the following methods:

- Registration forms
- Common Transfer File (CTF) from your previous school
- Child protection plans
- Educational Health care Plans (EHCPs)
- Trip letters

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, 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

Personal data relating to pupils at Sudbourne Primary School and their families is stored in line with the school's UK GDPR Data Protection Policy and Retention Policy. The school keeps information about pupils on secure computer systems as well on paper.

In accordance with the UK GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected. Paper copies of our Record Retention Schedule and Records Management Policy are available, free of charge, on request from the school office.

## Who we share pupil information with

We routinely share pupil information with:

- Schools that the pupils attend after leaving us
- Our local authority
- The Department for Education (DfE)
- Our regulator, Ofsted
- The School Nurse, and other health care professionals
- Enrichment club providers
- Professional advisors, such as the police, lawyers
- Our Management Information Systems and software

## Why we regularly 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.

## Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the

purpose of those data collections, under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

## 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 our Data Protection Lead, Penny Porter-Mill in the first instance.

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

## Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting our Data Protection Lead, Penny Porter-Mill in the first instance.

## Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 23<sup>rd</sup> March 2023.

## Contact

We hope that our Data Protection Lead, Penny Porter-Mill, can resolve any query you raise about our use of your information in the first instance. Penny Porter-Mill can be contacted, via the school office or by email: [sbm@sudbourne.com](mailto:sbm@sudbourne.com).

The school employs the services of Judicium Consulting who are responsible for overseeing data protection within the school. If you have any questions about how we handle your personal information which cannot be resolved by Penny Porter-Mill, our Data Protection lead, Judicium Consulting can be contacted via any of the methods listed below:

- Judicium Consulting Limited
- Address: 72 Cannon Street, London, EC4N 6AE
- Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)
- Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)
- Telephone: 0203 326 9174

You have the right to make a complaint at any time to the Information Commissioner's Office, the Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AFUK supervisory authority for data protection issues.

## How Government uses your data

The pupil data that we lawfully share with the the Department for Education (DfE) through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

## Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (DfE) (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

## The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

The NPD is owned and managed by the Department for Education (DfE) 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 for Education (DfE).

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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

## Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department for Education's (DfE) NPD data sharing process, please visit:

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

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfe-external-data-shares>

## **How to find out what personal information the Department for Education (DfE) holds about you**

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>