

BERKELEY PRIMARY SCHOOL

Privacy Notice for Parents/Carers – How we use your child's personal data

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils**.

We, Berkeley Primary School, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Mrs Joanne Vincent (see 'Contact us' below).

The categories of pupil information that we collect, hold and share include, but is not restricted to:

- Personal information (such as name, address, date of birth and unique pupil number)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal availability)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as teacher assessments, statutory assessment results)
- Relevant medical information (such as medical plans, dietary and allergy information)
- Special Educational Needs information (such as support plans and reports from relevant professional bodies)
- Details of any support received, including care packages, plans and support providers
- Exclusions / behavioural information
- Photographs
- Safeguarding information

Why we collect and use this information

We use the pupil data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Assess the quality of our services
- Protect pupil welfare
- Comply with the law regarding data sharing

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.

We also comply with:

Article 6(1)(c); processing is necessary for **compliance with a legal obligation** to which the controller is subject.

and

Article 9(2)(b); processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of 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. Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we explain the possible consequences of not complying.

Storing pupil data

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations.

There are strict controls on who can see pupils' information. We will not share pupil information data if you have advised us that you do not want it shared unless it is the only way we can make sure that the pupil stays safe and healthy or we are legally required to do so.

Who we share pupil information with

We routinely share pupil information with:

- Schools that the pupil's attend after leaving us
- Our local authority to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education (DfE)
- Ofsted (our regulator)
- Health Professionals/NHS/School Nurse
- Police forces, courts, tribunals
- Services which support safeguarding (for example, CPOMS)
- Services which support pupil pastoral care (for example, counsellors)
- Services which support parental communication (for example, Parentpay, Primary Site, Class Dojo)
- Services which support pupil learning (for example, O'Track, sports providers, residential visit locations, Times Table Rock Stars, Lexia, Pixl, Class Dojo, My Maths, Tapestry)
- Contracted IT support service provider (WAVENET)

- Other external agencies who we ensure comply with GDPR regulations

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/datacollectionand-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 the 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-pupildatabase-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.

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

<https://www.gov.uk/data-protection-how-we-collect-and-sare-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/goverment/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 education record, contact The Data Protection Officer at 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 circumstance, 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 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 us

If you have any questions, concerns or would like more information about anything mention in this privacy notice, please contact our Data Protection Officer:

- Mrs Joanne Vincent via email sbm.berkeleyprimary@northlincs.gov.uk

This notice is based on the Department for Education's model privacy notice for pupils, amended for parents and to reflect that we use date in this school.