

# Privacy Notice

QUEEN VICTORIA PRIMARY SCHOOL – NOVEMBER 2018



We, **Queen Victoria Primary School** are the data controller for the purposes of Data Protection Law.

## **Why do we collect and use pupil information?**

We collect and use pupil information under the following Acts of parliament and associated legislation.

The Education Act, amendments and accompanying regulations - for example; Section 537A of the 1996 Act enables the education setting to collect information to perform the Department of Education's termly census.

Section 40(2)(a) of the Childcare Act 2006 - early years foundation stage and Section 87 of the Education Act 2002 - key stage 1 and key stage 2, enables primary age education settings to collect information for the assessing and reporting of the national curriculum

There are various versions of the Education Act both preceding and following the 1996 Act that have influence on what information is required and how it is processed such as: The Education Reform Act 1988, Further and Higher Education Act 1992, Education Act 1994, School Standards and Framework Act 1998, Teaching and Higher Education Act 1998, Education Act 2002, Higher Education Act 2004, Education Act 2005, Education and Inspection Act 2006 and Education Act 2011, The Education (Pupil Information) England Regulations 2005 and associated regulations and statutory instruments.

Where appropriate we also rely on:

- The Children Act and subsequent amendments
- The Common Law Duty of Care
- Health and Safety at Work Act
- Working together to Safeguard Children Guidelines (DfE)
- Equality Act 2010
- The Disability Discrimination Act
- Special Educational Needs (SEN) Code of Practice
- Safeguarding Vulnerable Groups Act
- Limitation Act 1980

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil attainment progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us for DfE data collection
- to comply with the law regarding data sharing

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

- Personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- Characteristics (such as ethnicity, language, nationality, gender, religion, date of birth, country of birth, free school meal eligibility)
- Special educational needs (including the needs and ranking)
- Safeguarding information (such as court orders and professional involvement)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Attendance information (such as sessions attended, number of absences and absence reasons, and any previous school attended)
- Assessment and attainment information (such as EYFS, Key Stage and internal academic assessment information)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)

## **Collecting pupil information**

We collect pupil information via registration forms at the start of the school year and Common Transfer Files (CTF) from previous schools when applicable.

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.

We intend to collect consent to process information for photographs and off-site educational visits. Please note, you have a right to withdraw consent at any time and can contact the school to do this.

If you provide us with contact details of others, for example, in case of emergency or when you may not be available please ensure that they are aware their information has been passed to the school.

We will also receive the above type of personal information, where relevant, from the previous school/nursery and may also receive information from the Local Authority (LA) and the DfE.

## Storing pupil data

The information we collect, use and store about pupils and their parents/carers is retained on our computer systems and in paper files, either until it is updated/ superseded or until the pupil leaves the school where it will be passed on to the receiving school in accordance with the Education (Pupil Information) England Regulations 2005. Records are retained by a Secondary school for the period of 25 years from the Date of birth of the Child. Further information on how long schools retain information can be seen in the Information Records Management Society Toolkit for schools available at this link: [School records retention periods](#)

## Who do we share pupil information with?

We routinely share pupil information with:

- Relevant staff within the school
- schools that the pupil's attend after leaving us
- our local authority and other LA's and Academies when applicable
- the Department for Education (DfE)
- Health Services
- Welfare Call
- SENDIASS
- SEND Departments
- LACES Team to include "online PEPS"
- Children's Social Care
- Attendance Solutions Limited
- Other services
  - RM Unify - Integris
  - Purpose Mash
  - J2e
  - Email
  - Groupcall Messenger
  - 2Simple
  - Micro Library (MLS Library System)
  - Sumdog
  - SeeSaw
  - Dropbox
  - TT Rockstars
  - Bug Club (Pearson Education)
  - Aurasma (HP Reveal)
  - Tapestry
  - Junior Jam
  - Mangahigh – online maths website (January 2019)

We are committed to working with the local authority in protecting and safeguarding children and young people in the Borough. As a consequence we intend, where relevant to do so, share information with the Multi-Agency Safeguarding Hub (MASH) which is a co-located arrangement of agencies including the local authority, Police, NHS Trusts and Probation Service integrated into a multi-agency team.

The MASH is the single point of contact for safeguarding concerns, the MASH share information appropriately and securely on children or young people in order to take timely and appropriate actions. The teams also provide information and advice across a range of child and family services.

Where a pupil/parent/carer has been involved in an accident, an Accident/Incident Report Form will be completed which will include details of the accident including information about you. This information will be passed to the Corporate Health and Safety Team at the local authority. This information will be accessed by Dudley MBC employees, who legally require access to this data, for purposes related to this incident, and may be shared with others to allow us to comply with our statutory duties’.

We also share appropriate pupil information with the School Nurse and other NHS Services.

## **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>.

## **Department of Education**

The Department of 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 of 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) Regulation 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meets 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 the Headteacher in writing.

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
- a right to seek redress, either through the ICO, or through the courts

If you have a concern 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/>

## **Contact:**

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

YourIG Data Protection Officer Service  
Dudley MBC  
The Council House  
Dudley  
West Midlands  
DY1 1HF

**Email:** YourIGDPOService@dudley.gov.uk

**Tel:** 01384 815607

## How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the number of children and their characteristics in each school
- informs 'short term' education policy monitoring and school accountability and intervention (for example **SATs** and Pupil Progress measures)
- support 'long 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 (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 of 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.

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

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- 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's 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 DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department 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/dfе-external-data-shares>

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