



LADYBARN PRIMARY SCHOOL

PRIVACY NOTICE FOR PARENTS

**(How we use pupil
information)**

Privacy Notice For Parents - How we use pupil information

We at Ladybarn Primary School are the Data Controller for the purposes of the Data Protection Act. We collect information from you about your child, and may receive information about your child from a previous school.

Why Do We Collect And Use Pupil 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) and Article 9(2)(b) of the General Data Protection Regulation (GDPR).

We use this pupil data:

- To support pupil teaching and learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- Protect pupil welfare
- To assess the quality of our services
- Administer admissions waiting lists
- To comply with the law regarding data sharing
- To celebrate all children's cultural heritage
- To encourage community in school

The Categories Of Pupil Information That We Collect, Hold And Share Include:

- Personal information (such as name, date of birth and address)
- 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)
- Relevant medical information (such as medical pen portraits, asthma forms)
- Assessment information (such as national curriculum assessment results)
- Educational needs information
- Behavioural information (such as records of incidents and programmes)
- CCTV imaging to keep your child safe on school grounds
- Exclusion information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- We may also hold data on younger siblings of pupils to enable them to access pre school activities and provision

Our legal basis for using this data

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

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 parents / carers whether you are required to provide certain pupil information to us or if you have a choice in this. If it is mandatory, we will explain the possible consequences of not complying.

Storing Information

Ladybarn Primary school keeps information about your child on computer systems and also sometimes on paper.

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. Our retention periods are set out in the Department for Education and tells us how long we keep information about pupils.

We hold your child's education records securely until they change school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our retention periods are set out by the Department for Education and sets out how long we keep information about pupils.

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

Who We Share Pupil Information With

We routinely share pupil information with:

- Our classmates, staff, other pupils and visitors around school, for example on wall displays. This may include photographs and first names of pupils
- Schools that pupils 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)
- Educators and examining bodies
- Our regulator e.g. Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Central and local government
- Our auditors
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations

- Police forces, courts, tribunals
- Professional bodies
- Outside agencies for the purposes of assessing children with Special Educational Needs e.g. Educational Psychologists, Speech Therapists

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 the (DfE) under regulation 5 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>

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Requesting Access To a Pupil's Personal Data

Under data protection legislation, parents and pupils have the right to make a 'subject access request' to access information about them that we hold. Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a 'subject access request with respect to any personal data the school holds about them.

To make a request for personal information, or be given access to your child's educational record, contact the school office or the Head of School.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible 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; and
- Claim compensation for damages caused by a breach of the Data Protection regulations

Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress

- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer, details of which are available from the school office.

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 5AF

Contact

If you would like to discuss anything in this privacy notice, please contact the school office or Head of School.

Ladybarn Primary School Privacy Notice for Parents

I (print name) hereby give my consent as parent/carer for

Child(rens) Name(s):

Class

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To allow Ladybarn Primary School to hold and use data about my child(ren) as detailed in this Privacy Notice.

Signed:

Date: