



**PRIVACY NOTICE** for pupils and staff in schools, early years settings, alternative provision and pupil referral units

## **GDPR 2022**

### **Privacy Notice (How we use pupil and staff information)**

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

- Personal information (such as name, unique pupil number and address)
- Personal information (such as teachers unique TRN, date of birth, address, next of kin)
- 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)
- Personal information

### **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
- SALT – Speech and Language Therapy
- extended Agencies

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

We need to collect and use pupil information in order to comply with the relevant legislation for providing education to a child, including the Education Act 2006, the Education and Inspections Act 2006, and the Children's Acts 1989 and 2004. Our lawful basis for processing is therefore as we have a statutory obligation as defined by Article 6(1)(c) of the General Data Protection Regulation (GDPR).

## **The lawful basis on which we use this information (pupils)**

Some of the information we need to hold is classed as special category information – primarily ethnicity, gender and any health conditions. Our legal basis for processing this data is provided by Article 9(2)(b) of GDPR.

We collect and use pupil information under the lawfulness of processing e.g.

- parent/carer has given consent to the processing of the personal data relevant to their child for one or more specific purposes, e.g school census

## **The lawful basis on which we use this information (staff)**

We collect and use staff information under the lawfulness of processing e.g.

- processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent

## 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

We hold pupil data for the year after the pupil's 25<sup>th</sup> birthday

## 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)
- NHS – School Nurse etc
- Other external agencies and professionals who may be involved with the child at specific times of their education for example, CAMHS, SALT, Educational Psychology, Health, Together for Children

## 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>.

For more information about services for young people, please visit our local authority website.

## 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, or be given access to your child's educational record, contact Mrs N Walker, Deputy Headteacher

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 or Mrs N Walker – Deputy Headteacher [Nicola.walker@broadwayjuniorschool.com](mailto:Nicola.walker@broadwayjuniorschool.com) or our designated Data Protection Officer Rhiannon Hood at [data.protection@sunderland.gov.uk](mailto:data.protection@sunderland.gov.uk)

## Your Rights at Broadway regarding information collected, held and shared regarding your child

At Broadway Junior School, we may use and “process” your child's personal data for all sorts of different reasons, for example:

- to register your child at Broadway Junior School
- to contact you in an emergency
- and to provide your child with an education.

By “process” we mean everything we do with your personal data from collection to deletion, for example:

- storing it,
- organising it,
- using it
- and sharing it with others.

By personal data we mean both personal data and special categories of personal data. Personal data may include things like:

- your name, address, an identification number or an online identifier.

Special categories of personal data are data revealing your racial or ethnic origin, political opinions, religious or philosophical beliefs, details of your health, sex life or sexual orientation, your genetic data and any biometric data that identifies you.

Whenever we process your personal data we must do so lawfully, fairly and in a transparent manner to comply with the General Data Protection Regulations (**GDPR**) and Data Protection Act 2018. This guide informs you of your rights under the GDPR.

Full details of your rights are contained can be found on this [LINK](#) to the **ICO** website.

If you would like to exercise any of your rights, have any questions or would like a copy of this information in a different format please contact Mrs N Walker, Deputy Headteacher.