

# Privacy Notice (How we use pupil information)

**Fairisle Junior School is the Data Controller for the use of personal data in this privacy notice.**

Personal data may be collected and used in order to meet legal requirements and legitimate interests set out in Data Protection Legislation, namely:

- (the General Data Protection Regulation ((Regulation (EU) 2016/679);
- the Law Enforcement Directive (Directive (EU) 2016/680):
- the Data Protection Act 2018 (subject to Royal Assent) to the extent that it relates to processing of personal data and privacy; and
- all applicable law about the processing of personal data and privacy.

The information is collected, used and stored to enable the provision of education and other associated functions. In addition, it may occasionally be required by law to collect and use certain types of information of this kind to comply with the requirements of government. The personal information will be dealt with in line with the Data Protection Legislation regardless of the way that it has been collected, recorded and used.

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

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- trips and visits, including residential visits (such as contact and medical details for attendees and details of pupils receiving financial support from external grant providers)
- sporting fixtures and other events pupils participate in (such as contact and medical details for attendees)
- catering and free school meal management (such authentication of families in receipt of free school meals)
- consent for the storing and use of children's images in the media (including our school website)

This list is not exhaustive, to access the current list of categories of information we process please see our school website.

## Why we collect and use pupil information

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

We collect and use pupil information, for the following purposes:

- 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 by the Department for Education

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information are set out in article 6 of the GDPR (and article 9 where data processed is special category data from the GDPR.:

- for the purposes of supporting pupil learning and monitoring and reporting on pupil attainment progress in accordance with the legal basis of the legitimate interests of pupils;
- for the purposes of providing appropriate pastoral care and keeping children safe in accordance with the legal basis of protecting the vital interests of our pupils;
- for the purposes of assessing the quality of our services in accordance with the legal basis of carrying out tasks in the public interest or in the exercise of official authority;
- for the purposes of meeting the statutory duties placed upon us by the Department for Education in accordance with the legal basis of compliance with a legal obligation

In addition, concerning any special category data:

- any data concerning health where it is necessary to protect the vital interests of pupils
- any data revealing racial or ethnic origins enabling the school to fulfil its functions with regard to the Equality Act 2010

## Collecting pupil information

We collect pupil information via registration forms at the start of the the key stage and updated registration forms where applicable, Common Transfer File (CTF) or secure file transfer from a pupil's previous school.

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 and we will tell you what you need to do if you do not want to share this information with us.

## Storing pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit <http://www.fjslive.net/attachments/download.asp?file=1925&type=pdf>

## Who we share pupil information with

We routinely share pupil information with:

- schools
- local authorities
- the Department for Education (DfE)
- school nurse
- Hampshire Constabulary in the prevention and detection of crime

## 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

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:

### **For school census:**

Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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

### **For Key Stage 2 assessment data:**

Article 11 of The Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003.

All data is transferred securely using the National Curriculum Assessment (NCA) Tools website or uploaded via the School Information Management System (SIMS).

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

## Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the [Schools Admission Code](#), including conducting Fair Access Panels.

## Schools

We share information with schools to whom we send pupils at the end of the key stage or when pupils move to an alternative primary school during the key stage.

All data is transferred securely using a Common Transfer File (CTF) or through the Safeguarding and Child Protection software portal (CPOMS). In any cases where a new school does not use CPOMS, records are transferred directly by hand to a Designated Safeguarding Lead in the new school and a signature obtained showing the transfer.

## Requesting access to your personal data

Under GDPR, 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.

Depending on the lawful basis above, you may 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/>

For further information on how to request access to personal information held centrally by 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 the Deputy Headteacher 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 3 September 2019.

## Contact

If you would like to discuss anything in this privacy notice, please contact: the Deputy Headteacher, who is the Data Protection Officer for our school.

## 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 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 (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 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/dfe-external-data-shares>

## How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's 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 DfE: <https://www.gov.uk/contact-dfe>