



## **Privacy Notice – How we use pupil information**

Under the 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' to individuals where we are processing their personal data.

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

We, Holland Moor School are the 'data controller' for the purposes of data protection law.

Our data Protection officer is Mrs K MacDonald (see 'Contact us' below).

### **Pupil information that we collect, hold and share**

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- their personal information; name, date of birth, unique number and address,
- national curriculum assessment results
- attendance information; including sessions attended, number of absences and reasons
- any exclusion information, where they go after they leave us
- personal characteristics such as their ethnic group
- any special educational needs they may have
- relevant medical conditions including physical and mental health
- safeguarding information
- details of any support received, including care packages, plans and support providers
- photographs

### **Why we collect and use this information**

We collect and hold personal information relating to our pupils and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE).

We use the pupil data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Comply with the law regarding data sharing
- Safeguard pupils
- Carry out research



## **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Where we have obtained consent to use pupil's personal data, this consent can be withdrawn at any time.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 pupil's 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 you 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 pupil data**

We keep personal information about you while your child is 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 policy sets out how long we keep information about parents and carers (this will be accessible on the school website or contact the school office for a paper copy).

## **Who we share pupil information with**

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority - to meet legal obligations to share certain information with it, such as safeguarding concerns and exclusions



- the Department for Education (DfE)
- the pupil's family and representatives
- educators and examining bodies
- our regulator - OFSTED
- Suppliers and service providers - so that they can provide the services we have contracted them for
- Central and local government
- Security organisations
- health authorities - NHS/school nurse
- Parent Pay
- Groupcall
- Our auditors
- Health and social welfare organisations
- Police forces, courts, tribunals

## **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/datacollection-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, which is owned and managed by the Department and provides evidence on school performance to inform research. 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/nationalpupil-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

Such organisations must agree to strict terms and conditions about how they will use the data.

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 internally**

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.

## **Parents and pupils' rights regarding personal data**

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.



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.

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

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our data protection officer.

Parents/carers also have a legal right to access their child's **educational record**. To request access, please contact Mr Beale or Mrs MacDonald.

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 by contacting the data protection officer. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## **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.



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:

Mr Beale or Mrs MacDonald on 01695 725062.