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## **Data Protection Policy & Privacy Notice – How we use pupil information**

Frances Olive Anderson Church of England (Aided) Primary School is known as the “Controller” of the personal data it collects relating to its pupils and may also receive information about them from their previous school or nursery if applicable. The school uses and processes pupil information within the remit of the Regulation (EU) 2016/679 (General Data Protection Regulation), referred to throughout this statement as the GDPR.

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

- personal information (such as name, address, unique pupil number, contact preferences, date of birth, identification documents)
- characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- pupil and curricular records
- photographs
- attendance information (such as sessions attended, number of absences and absence reasons)
- assessment information (such as internal tests, pupils progress information and examination results)
- medical information (such as allergies to food, medication a student may require and medical incidents that have occurred inside or outside of school that may affect learning)
- Special Educational Needs and Disabilities information (such as specific learning difficulties, specific medical needs and previous learning or medical needs)
- Details of any support received, including care packages, plans and support providers
- Safeguarding information
- behavioural information (such as rewards, achievements, incident slips and exclusions).

### **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 care and guidance
- to protect pupil welfare and comply with statutory safeguarding and Health & Safety guidelines
- to assess the quality of our services
- to administer admissions waiting lists
- to comply with statutory DfE tasks
- to comply with the law regarding data sharing.



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We also process special categories of personal data that may include:

- physical or mental health needs
- racial or ethnic origin
- court proceedings, outcomes regarding a child
- religious or other beliefs of a similar nature

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

We collect and use pupil information under Article 6 and Article 9 of the GDPR, this enables the school to process information such as assessments, special educational needs requests, Departmental Censuses under the Education Act 1996 and the Education Act 2005, examination results and other such data processes that relate educational data to the individual within the requirements for the school to provide education for the individual.

#### 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.

### **How do we collect your personal data?**

Information may be collected in many different ways but predominantly as set out below:

#### *In Writing*

Completion of application forms.

#### *Face to Face*

If you attend our school or we visit you we may collect your personal data.

#### *Telephone calls*

We may take notes of telephone conversations that we have with you. These may be used as evidence of the call and for our staff training, monitoring for abusive and quality purposes.

#### *Emails*

If you email us we may keep a record of your email address and the email as evidence of the contact. We are unable to guarantee the security of any email initiated by you and we recommend that you keep the amount of confidential information you send to us via email to a minimum.



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## **How long do we keep your information for?**

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.

We hold pupil data in line with our Data Retention Guidelines, which are available upon request.

## **How do we keep your data safe?**

We will not sell, distribute or lease your personal information to third parties unless we have your permission or are required by law to do so.

Access to information is strictly controlled and staff are required to undertake data protection training.

All staff are required to read and sign Staff Code of Conduct which includes safe use of confidential information and electronic equipment.

The schools IT provider back up all our data within the UK.

Your personal data is not processed outside of the EU.

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

We routinely share pupil information with:

- pre-schools, nurseries, schools and other educational environments that the pupils attended either prior to joining or after leaving us
- our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- the pupil's family and representatives
- the Department for Education (DfE)
- Our regulators Ofsted and SIAMS (Statutory Inspection of Anglican and Methodist Schools)
- Health and social welfare organisations e.g School Nursing Team, Therapy Services
- Professional advisors and consultants e.g. counselling services
- Lincolnshire Music Service
- the Police and Law Enforcement
- suppliers and service providers e.g Innovate School Meals, RM Integris database, Teachers2Parents, Evolve Risk assessments,

## **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.



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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. 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.



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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 our Data Protection Officer.

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.

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 officer.

Alternatively, you can contact 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 us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer Mrs Carol Kirby via [enquiries@olive-anderson.lincs.sch.uk](mailto:enquiries@olive-anderson.lincs.sch.uk)