



# **Privacy Notice – (Pupil)**

## **Barham Primary School**

**Created: December 2022**

**Owner: Barham Primary School**

**Review Date: December 2023**

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

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

- personal identifiers, contacts and characteristics (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 doctor's 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)

NB: This list is not exhaustive.

### **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
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- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us

Under the UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018, and the EU General Data Protection Regulation (EU GDPR), the lawful bases we rely on for processing pupil information are:

- for the purposes of **(a), (b), (c) & (d)** in accordance with the legal basis of Public task: collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function
- for the purposes of **(e)** in accordance with the legal basis of Vital interests: to keep children safe (food allergies, or medical conditions)
- for the purposes of **(f)** in accordance with the legal basis of Legal obligation: data collected for DfE census information
  - o [Section 537A of the Education Act 1996](#)
  - o [the Education Act 1996 s29\(3\)](#)
  - o [the Education \(School Performance Information\)\(England\) Regulations 2007](#)
  - o [regulations 5 and 8 School Information \(England\) Regulations 2008](#)
  - o [the Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2013](#)

In addition, concerning any special category data (personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health or data concerning a natural person's sex life or sexual orientation):

- conditions a, b, c and d of [GDPR - Article 9](#)

## Collecting pupil information

We obtain pupil information via registration forms at the start of each academic year. In addition, when a child joins us from another school, we are sent a secure file containing relevant information.

Pupil data is essential for the schools' operational use. Whilst most of the pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with GDPR 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.

## Storing pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information regarding our data retention schedule and how we keep

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your data safe, please see our data retention policy on the policies page on the school website.

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

We routinely share pupil information with:

- the school that the pupil attends after leaving us
- our local authority – Brent
- the Department for Education (DfE)
- 3<sup>rd</sup> Party educational tool providers (Target Tracker, Parent Pay, SIMS, Class Dojo, Manga High, Spag.com, Maths.co.uk, google classroom etc.)

NB: This list is not exhaustive.

## **Why we routinely 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**

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 data collections, under:

- [Section 537A of the Education Act 1996](#)
- [the Education Act 1996 s29\(3\)](#)
- [the Education \(School Performance Information\)\(England\) Regulations 2007](#)
- [regulations 5 and 8 School Information \(England\) Regulations 2008](#)
- [the Education \(Pupil Registration\) \(England\) \(Amendment\) 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 more information, please see 'How Government uses your data' section.

## **Requesting access to your personal data**

Under UK GDPR, DPA 2018 and EU GDPR, parents and pupils have the right to request access to information about them that we hold. This is sometimes termed 'Subject Access Request'. If we agree that we are obliged to provide personal information to you (or someone else on your behalf), we will provide it to you or them free of charge and aim to do so within 30 days from when your identity has been confirmed.

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We would ask for proof of identity and sufficient information about your interactions with us so that we can locate your personal information.

To make a request for your personal information, or be given access to your child's educational record, contact our data protection officer:

**Katie Handshaw**

**Data Protection Officer**

	<p>+44 (0) 7732 900 693 +44 (0) 203 797 1289 ✉ <a href="mailto:kh@dpocentre.com">kh@dpocentre.com</a></p>	<p>The DPO Centre 50 Liverpool Street London, EC2M 7PY, UK</p>
<a href="http://www.dpocentre.com">www.dpocentre.com</a>		<b>Outsourced Data Protection</b>

The DPO Centre is a limited company registered in England and Wales (Company Number: 10874595)  
Registered Office: Suffolk Enterprise Centre, Felaw Street, Ipswich, IP2 8SJ, United Kingdom

Or email us at: [dataprotection@barham.brent.sch.uk](mailto:dataprotection@barham.brent.sch.uk)

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
- 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/>

## Contact

If you would like to discuss anything in this privacy notice, please contact:

Katie Handshaw – [kh@dpocentre.com](mailto:kh@dpocentre.com) – 0203 797 1289/ 07732900693

Or email us at: [dataprotection@barham.brent.sch.uk](mailto:dataprotection@barham.brent.sch.uk)

Our local authority - <https://www.brent.gov.uk>

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## 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 (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

**The law allows the Department to share pupils' personal data with certain third parties, including:**

- schools
  - local authorities
  - researchers
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- 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.