

Gilmour Junior School



PRIVACY NOTICE **How we use pupil information**

We, Gilmour Junior School, are a data controller for the purposes of the Data Protection Act 1998. We collect personal information from you and may receive information about you from your previous school.

Why do we collect and use pupil information?

Section 537A of the Education Act 1996 requires schools to collect and provide any such individual pupil information as may be prescribed. This includes sharing of a set of named pupil records through the submission of termly school census returns to the local authority and DfE.

Putting the school census on a statutory basis:

- means that schools do not need to obtain parental or pupil consent to the provision of information
- ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils
- helps to ensure that returns are completed by schools

We also collect and share individual pupil information with the local authority - including attendance and exclusions data- each week. This is supported under The Education (Pupil Registration) (England) Regulations 2006 Regulation 12; Children's Act 2004 Section 10: co-operation to improve wellbeing; Children's Act 2004 Section 11: arrangement to safeguard and promote welfare; Education and Inspections Act 2006 Section 38 and Working together to safeguard children March 2013 Guidance.

This information is used by the local authority to fulfil a number of statutory duties:

- to ensure there are sufficient school places in the area
- promote high education standards
- ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential
- the need to meet the local authority's safeguarding requirements
- to facilitate the ability of partner organisations to support the learning and welfare of children and young people through the exchange of data and the use of information not otherwise available to either organisation.

For more information on how the local authority uses information we share with them go to <http://liverpool.gov.uk/schools-and-learning/requests-for-pupil-records/>

We also use 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

The lawful basis on which we use this information

We collect and use pupil information under Articles 6 and 9 of the GDPR (General Data Protection Regulations):

- Article 6.1c – processing is necessary for compliance with a legal obligation to which the controller is the subject;
- Article 6.1e – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- Article 9.2g – processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

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

- Personal information (such as name, unique pupil number and address)
- 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)
- Assessment information
- Special Educational Needs information
- Exclusion/behavioural information

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 until they transfer to another setting, primary schools do not need to keep copies of any records in the pupil record file except if there is an ongoing legal action when the pupil leaves the school.

Who do 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)
- the School Nurse and NHS
- School Improvement Liverpool

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>.

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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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 the School Business Manager at the school.

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, 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 the Headteacher.