

Two Moors Primary School

Privacy Notice for Pupils & Parents/Carers (How we use pupil information)

Two Moors Primary School is the Data Controller for the purposes of the General Data Protection Regulation 2018 and Data Protection Act 2018, and is registered with the regulator (Information Commissioner's Office). It's registration number is Z5492759

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)
- Pupil and curricular records
- Results of internal assessments and externally set tests
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Safeguarding information
- Details of any support received including care packages, plans and support providers
- Photograph and video images

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

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 pastoral care
- to protect pupil welfare
- 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 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 (delivering education to your children)

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Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.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 pupils' personal data overlap and there grounds which may be several justify our use of this data.

Where we process *Special Categories of Personal Data* – this is personal data revealing:

- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetic data
- biometric data for the purpose of uniquely identifying a natural person
- data concerning health; or
- data concerning a natural person's sex life or sexual orientation

we will do so using an additional lawful basis, Most commonly this will be where:

- where there is substantial public interest covering statutory purposes, or for the equality of opportunity or treatment

Less commonly this will be where:

- we gain explicit consent; or
- the processing is necessary to protect the vital interests of the individual or of another individual where they are physically or legally incapable of giving consent;

We process *Special Categories of Personal Data* in line with our policy, and where new processing occurs we will conduct a Data Protection Impact Assessment.

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 data protection laws and regulations, 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 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.

Our policy is to abide by the recommendation within the Information and Records Management Society's toolkit for schools – which can be found here:

[IRMS Toolkit for Schools](#)

Who we share pupil information with

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Schools that the pupils attend after leaving us
- Our local authority – to meet our 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 e.g. Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

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 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>

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 (DPO) i-west@bathnes.gov.uk or admin@twomoors.devon.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
- claim compensation for damages caused by a breach of the Data Protection regulations

Please note if a parent is requesting access to their child's personal data we will take into account the child's view on this - given that it is their data. We will also take into account the age of the child, their capacity, and their understanding of information rights.

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. Alternatively, you can contact 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:

**Data Protection Officer (DPO) i-west@bathnes.gov.uk
Or admin@twomoors.devon.sch.uk**