

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

This privacy notice explains how and why we collect pupils' data, what we do with it and what rights parents and pupils have.

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).

### **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)
- Behaviour records, including exclusions (if relevant) records about attainment, assessment information, information about special needs / medical needs (if relevant)
- Images (CCTV and photographs)

We collect information about pupils when they join the school and update it during their time on the roll as and when new information is acquired.

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

We use the pupil data:

- to decide who to admit to the school
- to maintain a waiting list
- 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
- for the health, protection and welfare of pupils and others in the school
- for the safe and orderly running of the school
- to promote the school
- to communicate with parents
- in order to respond to investigations from our regulators or to respond to complaints raised by our stakeholders
- in connection with any legal proceedings threatened or commenced against the school

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

We need all the categories of information in the list above primarily to allow us to comply with our legal obligation (1c of EU GDPR Article 6 and 2b of EU GDPR Article 9) and in order to protect the vital interests of pupils (1d of EU GDPR Article 6).

### **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. Where appropriate, we will ask parents for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to use photos or images of pupils on our website or to promote school activities. Parents / pupils may withdraw consent at any time.

In addition, the School also uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or to investigate other issues. CCTV footage involving pupils will only be processed to the extent that it is lawful to do so.

## Storing pupil data

We will only retain pupils' data for as long as necessary to fulfil the purposes we collected it for, usually once the child has transitioned to secondary school. Some information, such as Child Protection and Special Educational Needs information will be kept until the date of birth of the pupil + 25 years.

A significant amount of personal data is stored electronically, for example, on our database, SIMS. Some information may also be stored in hard copy format. Personal data may be transferred to other countries if, for example, we are arranging a school trip to a different country. Appropriate steps will be taken to keep the data secure.

## Who we share pupil information with

We routinely share pupil information with:

- parents (as defined in the Education Act 1996)
- schools that the pupil's attend after leaving us
- our local authority
- a pupil's home local authority (if different)
- the Department for Education (DfE)
- school governors

From time to time, we may also share pupil information other third parties including the following:

- the Police and law enforcement agencies
- NHS health professionals including the school nurse, educational psychologists
- Education Welfare Officers
- Courts (if ordered to do so)
- Prevent teams in accordance with the Prevent Duty on schools
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances
- our HR providers, for example, if we are seeking HR advice and a pupil is involved in an issue
- our legal advisors
- our insurance providers

Some of the above organisations may also be Data Controllers in their own right in which case we will be jointly controllers of your personal data.

In the event that we share personal data about pupils with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

## 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>

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 headteacher via the school office.

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. 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:

Mr Gareth Dutton (Headteacher)  
St. Luke's C.E. Primary School  
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Kingston upon Thames  
KT2 6EN  
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