

# Privacy Notice (How we use pupil information)

## All schools



Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about pupils.

We, Swaythling Primary School, Mayfield Road, Southampton, Hants SO17 3SZ are the 'data controller' for the purposes of data protection law.

Our data protection officer is Aislinn Evans-Wilday (see 'Contact us' below).

### Why do we collect and use pupil information?

We collect and use pupil information under:

General Data Protection Regulation (EU) 2016/679 (from 25<sup>th</sup> May 2018)

- Article 6(1)(e) – the 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(2)(g) – the processing is necessary for reasons of substantial public interest

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

- Personal information (such as name, unique pupil number, address, date of birth, identification documents)
- 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)
- Academic progress / assessment data
- Relevant medical information
- Special educational needs information
- Exclusions / behavioural information
- Safeguarding information
- Photographs

### 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 support of exercising our official tasks. 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 keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school in accordance with the Southampton City Council Records and Retention Schedule: [http://www.southampton.gov.uk/Images/RRRS-version-9.000\\_tcm63-389236.pdf](http://www.southampton.gov.uk/Images/RRRS-version-9.000_tcm63-389236.pdf)

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

We do not share information about pupils with any third party without consent unless the laws and our policies allow us to do so.

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

- Schools / other education providers
- our local authority
- the Department for Education (DfE)
- the NHS
- other local authorities
- our regulator (Ofsted)
- Police forces, courts and tribunals

For further details, please see “Why do we collect and use pupil information?” above.

## **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 Carol Durrant, School Business and Premises Leader who will make the necessary arrangements with Elaine Brewerton, 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

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:

- [Aislinn Evans-Wilday, Data Protection Officer – dpo@swaythlingprimary.org](mailto:dpo@swaythlingprimary.org)
- [Anna Laycock – School Business Manager – anna.laycock@swaythlingprimary.org](mailto:anna.laycock@swaythlingprimary.org)

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following websites:

[www.youngsouthampton.org/privacynotice.aspx](http://www.youngsouthampton.org/privacynotice.aspx) and  
<http://media.education.gov.uk/assets/files/doc/w/what%20the%20department%20does%20with%20data%20on%20pupils%20and%20children.doc>  
<http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

- If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:
- **Solicitor for Education:** Legal Services, Southampton City Council, Ground Floor, Civic Centre, SO14 7LY
- **Public Communications Unit:** Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT
- Website: [www.education.gov.uk](http://www.education.gov.uk)
- Email: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)  
Telephone: 0370 000 2288

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