



## **Privacy Notice (Pupils & Parents)**

Lady Margaret Primary School is committed to protecting the privacy and security of personal information. This privacy notice explains how we collect, store and use personal data about pupils, in accordance with the General Data Protection Regulation (GDPR) section 537A of the Education Act 1996, and section 83 of the Children Act 1989.

### **Who collects this information?**

Lady Margaret Primary School is the Data Controller for the use of personal data in this privacy notice. This means that we decide how we are responsible for deciding how we hold and use personal information about pupils

### **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;

- to meet the statutory duties placed upon us by the Department for Education
- to confirm the identity of prospective pupils and their parents
- to provide education services and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs
- to inform decisions such as the funding of the school
- to assess the performance and set targets for the school
- to safeguard pupils' welfare and provide appropriate pastoral (and where necessary medical) care
- to support teaching and learning
- to give and receive information and references about past, current and prospective pupils.
- to manage internal policy and procedures
- to enable pupils to take part in assessments, to publish the results of examinations and to record pupil achievements
- to carry out statistical analysis for diversity purposes
- for legal and regulatory purposes (for example health and safety, child protection) and to comply with legal obligations
- to enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate.
- to monitor the schools use of IT and communications systems in accordance with the school's IT security policy

- to make use of photographic images of pupils in school publications, on the school website and on social media channels
- to ensure safety and security (for example CCTV)
- to assess the quality of our services

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

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- Emergency contact and family lifestyle information such as names, relationship, phone numbers and email addresses;
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Financial details to facilitate online payments;
- Performance and assessment information such as test results and teacher assessments;
- Behavioural information (including exclusions);
- Special Educational Needs information such as assessments carried out in school or by other professionals and interventions carried out in school;
- Relevant medical information, such as information about medical conditions or allergy information and details of medical practitioners involved in a child's care;
- Images of pupils engaging in school activities and images captured by the school's CCTV system;
- Information about the use of our IT, communications and other systems, and other monitoring information.

**Collecting pupil information**

We collect pupil information via registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from previous school.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, 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 and we will tell you what you need to do if you do not want to share this information with us.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

## The Lawful Basis on Which We Use This Information

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

- Consent: the individual has given clear consent to process their personal data for a specific purpose;
- Legal obligation: the processing is necessary to comply with the law (not including contractual obligations);
- Vital interests: the processing is necessary to protect someone's life.
- Public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law; and
- The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We need all the categories of information in the list above primarily to allow us to comply with legal obligations. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

### Storing pupil data

Lady Margaret Primary School keep pupil data on computer systems and also on paper.

Except as required by law, the School only retains information about pupils for as long as necessary in accordance with timeframes imposed by law and our internal policy.

The length of time for which we hold pupil data varies according to the type of data. More information can be found in our **Information Management Policy**, which can be found on our website.

We hold a pupil's education records securely until they change school. Their records will then be transferred to their new school, where they will be retained until the pupil reaches the age of 25, after which they are safely destroyed.

There are strict controls on who can see this information. We will not share personal data if you have advised us that you do not want it shared unless it is the only way we can make sure you stay safe and healthy or we are legally required to do so.

### Sharing data

We may need to share your data with third parties where it is necessary. There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it's the only way we can make sure you stay safe and healthy or we are legally required to do so.

We share pupil information with:-

- The Department for Education (DfE) - on a statutory basis under section 3 of The

Education (Information About Individual Pupils) (England) Regulations 2013;

- Ofsted;
- Our local authority (Ealing Council) and their commissioned providers of local authority services;
- NHS for example local healthcare professionals working with specific pupils
- Welfare services such as social care
- Law enforcement officials such as the police, HMRC;
- Other schools that pupils have attended/will attend;
- Professional advisers and consultants;
- Support service providers – to enable them to provide the support service we have contracted them for;
- Selected third party software providers;
- Other professionals working with specific pupils as part of early interventions;
- The school catering company (Harrison Catering)

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations, we require them to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

### **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.

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. 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 those data collections, under section 3 of The Education (Information about Individual Pupils) (England) 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.

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under the [Schools Admission Code](#), including conducting Fair Access Panels.

### **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>.

### **Third Party software Providers**

Data is also shared with selected third party software providers. This enables pupils to access their own learning programmes from multiple providers in and out of school. All providers are checked by the school to ensure they comply with the GDPR and satisfy the criteria of the DfE's guidance for Cloud software.

### **Security**

We have put in place measures to protect the security of your information (i.e. against it being accidentally lost, used or accessed in an unauthorised way).

### **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 by the Department

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

- schools
- local authorities
- researchers
- 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.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfe-external-data-shares>

### **How to find out what personal information DfE hold about you**

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>

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

Under GDPR, 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, please contact Amanda Hancock, School Business Manager:

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 want to exercise any of the above rights, please contact Amanda Hancock, School Business Manager.

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/>

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **Right to Withdraw Consent**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting Amanda Hancock, School Business Manager.

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **Last updated**

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on **25<sup>th</sup> February 2022**

### **Contact**

If you would like to discuss anything in this privacy notice or have a concern about the way we are collecting or using your personal data, re quest that you raise your concern with Amanda Hancock, School Business Manager

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolve by Amanda Hancock, then you can contact the DPO on the details below: -

<b>Data Protection Officer Name:</b>	Craig Stilwell
<b>Data Protection Officer Details:</b>	Judicium Consulting Ltd, 72 Cannon Street, London, EC4N 6AE
<b>Data Protection Officer Email:</b>	dataservices@judicium.com

If you need more information about how our local authority and/or DfE collect and use your information, please visit:

Our local authority at  
[http://www.ealing.gov.uk/info/200527/your\\_child\\_at\\_school/710/schools\\_privacy\\_notice](http://www.ealing.gov.uk/info/200527/your_child_at_school/710/schools_privacy_notice)  
or

The DfE website at

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

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:

Data Protection Officer  
Perceval House  
14-16 Uxbridge Road  
Ealing  
London  
W5 2HL  
Tel: (020) 8825 8282  
Email: [dataprotection@ealing.gov.uk](mailto:dataprotection@ealing.gov.uk)

Public Communications Unit  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT  
Telephone: 0370 000 2288  
Email: <http://www.education.gov.uk/help/contactus>

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns>.