

Privacy Notice (How we use pupil & family information)

This notice is to help you understand how and why we collect personal information about pupils and their families and what we do with that information. It also explains the decisions that you can make about your own information.

We collect and use pupil information under Section 537A of the Education Act 1996, Section 83 of the Children Act 1989 and Article 6 and Article 9 of the General Data Protection Regulation (GDPR).

Article 6 (GDPR) condition: Processing is necessary for compliance with a legal obligation to which the data controller is subject.

Article 9 (GDPR) condition: For substantial public interest on legal basis.

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

- Personal information from your admissions form, previous School or LA
 - name
 - unique pupil number
 - address
 - contact telephone numbers
 - next of kin
 - family circumstances
 - medical information
 - SEN Information
 - Photographic images of pupils for identification
 - CCTV images
- Characteristics
 - ethnicity
 - language
 - nationality
 - country of birth
 - free school meal eligibility
 - adoption or forces pupil
- Attendance information
 - sessions attended
 - number of absences
 - absence reasons
- Assessment Information
 - End of Key Phase results
 - Teacher Assessment
 - Exam results & certificates
- Behavioural Information
 - Allegations of abuse

- Accidents
- Exclusions
- Child Protection and Safeguarding Information (such as court orders and professional involvement)
- Medical and administration (such as doctors' information, child health, dental health, allergies, medication and dietary requirements)

For details of what we collect, hold and share, please visit the Information Commissioner's Office (ICO) Data Protection Register at

<https://ico.org.uk/esdwebpages/search>

and enter Z5475064 or follow the following link

<https://ico.org.uk/ESDWebPages/Entry/Z5475064>

Why we collect and use this information

We collect and use your information for the following reasons:

- To support the admissions, exclusions and entitlements process
- to support pupil learning including Sen support
- to monitor and report on pupil attainment and progress, to include ethnic minority achievement and traveller education services
- to provide appropriate pastoral care, safeguard the welfare and wellbeing of all pupils
- to assess the quality of our services
- to comply with the law regarding data sharing including attainment data
- to ensure that we meet our statutory obligations including those related to diversity and equality
- to ensure the safety of pupils (food allergies, emergency contact details)
- to ensure the safety of our buildings which includes the use of CCTV
- to meet statutory duties placed upon us by the Department for Education

The lawful basis on which we use this information

Under GDPR, the legal basis / bases we rely on for processing personal information for general purposes are:

Public Interest

This means that the processing is necessary for public interests except where the processing is unfair to you. The school relies on public interest for most ways in which it uses your information. Specifically the school has public interest in:-

- providing educational services to your child
- safeguarding and promoting the welfare of your child and other children
- promoting the objects and interests of the school.
- Facilitating the efficient operation of the school
- Ensuring that all relevant legal obligations of the school are complied with.

Legal Obligation

For the purpose of supporting pupil learning, in accordance with the legal basis of legal obligations, paragraph 2 (g) of Article 9 and Section 537A of the Education Act 1996

Where a school needs to use your information in order to comply with a legal obligation, for example to report a concern to Children's Services. We may also have to disclose information to third parties such as the local authority or the police where legally obliged to do so.

Vital Interests

For example, to prevent someone from being seriously harmed or for the emergency medical treatment of a person.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories are as follows: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information and information about sex life or orientation. Consent will be required for data held or stored under this category as well as one for the following legal basis.

Substantial public interest

The processing is necessary for reasons of substantial public interest for example, understanding sexual orientation of a pupil to ensure systems in place to manage washroom facilities and PE changing.

Vital Interest

To protect the vital interest of any person where that person can't give consent, for example, if they are seriously hurt or unconscious.

We process this information under Education Act 1996, and the General Data Protection Act Article 6, and Article 9 where data processed is special category data of the General Data Protection Regulation (GDPR).

Article 6 (GDPR) condition: Processing is necessary for compliance with a legal obligation to which the data controller is subject.

Article 9 (GDPR) condition: For substantial public interest on legal basis.

Collecting pupil information

We collect your personal information via the following methods:

- Registration Forms
- Common Transfer File (CTF) from your previous schools (where relevant)
- Child protection plans
- Data Collection Forms
- Consent Forms
- Medical Forms

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 your education records securely in line with retention guidelines until you change school. Your records will then be transferred to your new school, where they will be retained until you reach the age of 25, after which they are destroyed securely.

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

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority, North Tyneside Council
- Multi Agencies that are part of the Local Authority
- the Department for Education (DfE)
- on occasion we may need to share information with the Police
- Texting Service for Parents
- School Photographer
- School Milk Provider
- Online assessment tool (Target Tracker)
- North Tyneside Learning Trust as part of teaching and learning projects
- Wallsend Children's Community (WCC)
- In order to support the School Nursing Service with the delivery of local and national health initiatives for children, e.g. health screening and child immunisation programmes, the school will share information with the North Tyneside NHS. This will include the name, date of birth, address and school attended.
- we may need to share information if there is an emergency, for example, if you are hurt whilst on school premises.
- Cloud-based software
 - Capita SIMS for storing pupil information
 - CPOMS

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.

Department for Education (DfE)

The DfE collects personal information from us through various collections the school is required to undertake legally. We are required to share information about pupils with the DfE either directly or via our LA for the purpose of those data collections, under:

- Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013

All information we share with the DfE is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current government security policy framework.

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.

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 DfE 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 DfE is legally allowed to share pupils' personal information from the NPD with certain third parties including:

- Schools
- LA's
- Researchers
- Organisations connected with promoting the education or wellbeing of pupils
- Other government departments and agencies
- Organisations fighting or identifying crime

Organisations fighting or identifying crime, such as the Home Office and the police, may use their legal powers to contact the DfE to request access to individual level information relating to a crime. The DfE typically supplies information on around 600 pupils per year to the Home Office and approximately one per year to the police.

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>

How to find out what personal information the DfE holds about you

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data
- For a description of the data it holds about you
- The reasons it is holding your data and any recipient it may be disclosed to
- For a copy of your personal data and any details of its source

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link:

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

You can also contact the DfE directly using its online contact form by following this link:

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

Wallsend Children's Community

WCC seeks to understand why some children in Wallsend underperform in terms of scholarly attainment relative to other school children nationally. Having relevant data will allow them to identify which specific groups of children have the lowest levels of attainment and associated factors. WCC may require access to non-aggregated, individual pupil level data which has been pseudonymised to protect the anonymity of our pupils.

Data Collected

The following are the types of data which may be used

- Attainment
- Attendance
- Exclusions
- Protected characteristics (gender, disability, ethnicity, language, nationality, etc)
- Behaviour
- Early Help Assessments
- Free School Meal eligibility
- Pupil Premium
- SEN

What will the data be used for

The findings from the processing of data will be used for:

- Informing understanding of the attainment gap

- Producing information for Wallsend schools which will summarise the aggregated findings from the analysis (not individual pupil data)
- Produce a set of recommendations for the Wallsend Children's Community Strategic Alliance

Legal Basis

The legal basis is legitimate interest, Article 6(f), in processing this data with specific aims of 1) identifying the key drivers of lower attainments and 2) identifying the groups of students who are most at risk of underperforming relative to peers nationally.

Local Authority

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 School Admission Code, including conducting Fair Access Panels.

What are your rights?

You have specific rights to the processing of your data, these are the right to:

- Request access to the information the school holds about you.
- Restrict our processing of your personal data i.e. permitting its storage but no further processing.
- Object to direct marketing (including profiling) and processing for the purposes of scientific / historical research and statistics.
- Have your personal data rectified if it is inaccurate or incomplete.
- Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- Request the deletion or removal of personal data where there is no compelling reason for the continued processing.
- Seek compensation, either through the ICO or the courts.

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 Janine White, Data Protection Administrator at Richardson Dees Primary at j.white@rdees.org.uk.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with the school's Data Protection Officer on DPO.Schools@northtyneside.gov.uk.

Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

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 Janine White (j.white@rdees.org.uk).

Contact

If you would like to discuss anything in this privacy notice, please contact:

Janine White

Data Protection Administrator

Email: j.white@rdees.org.uk

Tel: 0191 263 8139

Or

Data Protection Officer (for Schools)

Law and Governance

North Tyneside Council

Quadrant

North Tyneside,

NE27 0BY

Tel No: (0191) 643 2333

Email: DPO.Schools@northtyneside.gov.uk

Changes to our Privacy Policy

We keep this policy under regular review and we will place any updates on our website at

<https://richardson-dees.eschools.co.uk/website>