

GDPR Privacy Notice for Pupils and Their Families

Privacy Notice (How we use pupil information)

Introduction

Jackfield Infant School is the Data Controller for the use of personal data in this Privacy Notice.

As a school we collect a significant amount of information about our pupils. This notice explains why we collect the information, how we use it, the type of information we collect and our lawful reasons to do so.

What type of data is collected?

The DfE and government requires us to collect a lot of data by law, so that they can monitor and support schools more widely, as well as checking on individual schools' effectiveness.

The categories of pupil information that the school collects, holds and shares include the following:

- Personal information – e.g. names, pupil numbers, contact details and addresses
- Characteristics – e.g. ethnicity, language, nationality, country of birth and free school meal eligibility
- Safeguarding information (such as court orders and professional involvement).
- Special educational needs (including the needs and ranking)
- Medical and administration (such as doctors' information, child health, dental health, allergies, medication and dietary requirements)
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment and attainment information (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- CCTV, photos and video recordings of you are also personal information.

This list is not exhaustive.

Why do we collect data?

We collect and use the pupil data to:

- Support pupil learning
- Monitor and report on pupil attainment progress
- Provide appropriate pastoral care
- Assess the quality of our services
- Keep children safe (e.g. food allergies, emergency contact details)
- Fulfil our statutory obligations to safeguard and protect children and vulnerable people
- Enable targeted, personalised learning for pupils
- Manage behaviour and effective discipline
- Comply with our legal obligations to share data
- Keep pupils, parents and carers informed about school events and school news.

Our legal obligations

Under the UK General Data Protection Regulation (UK GDPR), the lawful basis schools rely on for processing pupil information are as follows:

To collect information comes from a variety of sources, such as the Education Act 1996, Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013, Article 6 and Article 9 of the UK GDPR.

The Department for Education and Local Authorities require us to collect certain information and report back to them. This is called a 'public task' and is recognised in law as it is necessary to provide the information.

We also have obligations to collect data about children who are at risk of suffering harm, and to share that with other agencies who have a responsibility to safeguard children, such as the police and social care.

We also share information about pupils who may need or have an Education Health and Care Plan (or Statement of Special Educational Needs). Medical teams have access to some information about pupils, either by agreement or because the law says we must share that information, for example school nurses may visit the school.

Counselling services, careers services, occupational therapists are the type of people we will share information, so long as we have consent or are required by law to do so.

We must keep up to date information about parents and carers for emergency contacts.

Collecting pupil information

We collect pupil information via pupil data collection sheets at the start of the year, Common Transfer File (CTF) or secure file transfer from the 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 is provided to us on a voluntary basis. In order to comply with Data Protection legislation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

How we use the data

In school we also use various third-party tools to make sure that pupils' best interests are advanced. We also record details about progress, attainment and pupil development to support future planning and learning.

We use software to track progress and attainment.

We use data to manage and monitor pastoral needs and attendance/absences so that suitable strategies can be planned if required.

We use systems to take electronic payments for school meals. This includes financial software to manage school budgets, which may include some pupil data.

Data can be used to monitor school effectiveness, the impact of intervention and learning styles across groups of pupils as well as individual children.

We may use consultants, experts and other advisors to assist the school in fulfilling its obligations and to help run the School properly. We might need to share pupil information with them if this is relevant to their work.

We also use contact information to keep pupils, parents, carers up to date about school events.

Storing pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit: <https://www.newguildtrust.co.uk/wp-content/uploads/2022/11/NGT-Records-Management-Policy-Dec-22.pdf>

Who we share pupil information with

We routinely share pupil information with:

- Schools that the pupil's attend after leaving us
- Our Local Authority
- The Department for Education (DfE)
- Within the Multi Academy Trust
- NHS – School Nurses

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 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 (DfE) under regulation 5 of The Education (Information about Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the 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 of this Privacy Notice.

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 Admissions Code, including conducting Fair Access Panels.

Online Learning Privacy Notice (How we use pupil information)

During the Covid-19 (Coronavirus) pandemic, we want to ensure that pupils are able to access a variety of online learning including 'live lessons' which will include a mixture of teaching and instruction and giving pupils tasks to complete.

These lessons will be hosted via online video platforms such as Zoom or Microsoft Teams. When accessing these platforms, pupils and/or parents will need to share some basic personal information in order to use the platform (i.e. name and agreed email address). It is very important that your personal information is kept safe and there are measures in place to ensure this happens. You can find details on the information required by individual video platforms and their security measures by viewing their privacy notices.

Examples of the video platforms used are as below:

Zoom: <https://zoom.us/privacy>

Microsoft Teams: <https://www.microsoft.com/en-gb/microsoft-365/microsoftteams/security>

Google Classroom: https://edu.google.com/intl/en_uk/why-google/privacy-security/

If you/your child chooses to take part in online live lessons, aspects of your/your child's personal data (i.e. name and email address) will be shared with third parties such as the above video platforms, which is required in order for these systems to be accessed. These systems relate to our public task to provide pupils with an education.

The personal data we hold

During a teaching session the following personal data may be collected:

- Voice
- Image of the teacher
- Actions taken or contributions made (e.g. participation in class discussion)
- Accidental image capture of other household members or visitors
- Email address and name of participants

The software may record personal data of the teacher, pupils or any other participant attending the teaching session including other household members or visitors. Where possible, cameras and microphones will be directed at staff or whiteboards delivering the lesson, however a pupil's image or voice may be captured.

All such recordings/streaming will be undertaken in line with the school's safeguarding policies and streaming/live lesson protocols.

Our legal basis for using this data

The UK General Data Protection Regulations (UK GDPR) provide a framework of Articles about the use of personal data. We have included a cross reference to the relevant Articles in the information below. The use of your/your child's information for these purposes is lawful for the following reasons:

- We are under a legal obligation to collect the information or the information is necessary for us to meet legal requirements, such as our duty to safeguard pupils and to ensure our staff can engaging in professional development opportunities (Article 6, 1c)
- It is necessary for us to hold and use the information for the purposes of providing schooling and so we can look after our pupils. This function is in the public interest because everybody needs to have an education. (Article 6, 1e)
- Sometimes we need permission to use certain information. In these circumstances, we will ask you/your child, for permission. (Article 6, 1a)
- If you give your consent, you may change your mind at any time.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

We may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

How long will this data be kept?

Any lesson recordings will be kept and stored as above during your time as a pupil in the school, after which point, they will be erased.

Data sharing

Access to the live streaming sessions will be managed by teaching staff ensuring only enrolled pupils have access to the lessons. Any recordings of the live streaming will have the same access arrangements in place. Such videos/streaming will not be shared outside of the organisation.

What are your rights?

Parents and pupils have the following rights in relation to the processing of their personal data.

You have the right to:

- Be informed about how Jackfield Infant School uses your personal data.
- Request access to the personal data that Jackfield Infant School holds.
- Request that your personal data is amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling reason for its continued processing.
- Request that the processing of your data is restricted.
- Object to your personal data being processed.

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

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 School Office on 01782 234450.

You also have the right:

- To ask us for access to information about you that we hold.
- To have your personal data rectified, if it is inaccurate or incomplete.
- To request the deletion or removal of personal data where there is no compelling reason for its continued processing.
- To restrict our processing of your personal data (i.e. permitting its storage but no further processing).
- To object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics.
- Not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.

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/>

For further information on how to request access to personal information held centrally by the DfE, please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

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 the School Office on 01782 234450.

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 in **December 2022**.

If you would like to discuss anything in this privacy notice, please contact: Mrs. C. Leese, School Business Manager on 01782 234450.

SBM Services (UK) Ltd. is the Data Protection Officer. Their role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the UK General Data Protection Regulation (UK GDPR). The Data Protection Officer can be contacted on 01206 671103.

More information about Data Protection and our policies

How we manage the data and our responsibilities to look after and share data is explained in our Data Protection Policy and connected policies which are also available on our website.

How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- Underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- Informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- Supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school).

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)

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 for Education (DfE)

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

- Schools and 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 the DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, the 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 the 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 the DfE holds 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

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 contact the school directly.

Depending on the lawful basis above, you may 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
- A right to seek redress, either through the ICO, or through the courts

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/>

For further information on how to request access to personal information held centrally by the DfE, please see the 'How Government uses your data' section of this notice.

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

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

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**PLEASE COMPLETE AND RETURN
THIS FORM TO THE SCHOOL**

Child's Name: _____

Class: _____

Declaration and Signature of Applicant

I, _____, declare that I understand:

- Jackfield Infant School has a legal and legitimate interest to collect and process my personal data in order to meet statutory requirements.
- How my data is used.
- Jackfield Infant School may share my data with the DfE, and subsequently the Local Authority.
- Jackfield Infant School will not share my data to any other third parties without my consent, unless the law requires the school to do so.
- Jackfield Infant School will always ask for explicit consent where this is required, and I must provide this consent if I agree to the data being processed.
- My data is retained in line with the school's GDPR Data Protection Policy.
- My rights to the processing of my personal data.
- Where I can find out more information about the processing of my personal data.

Name of Parent: _____

Signature of Parent: _____

Date: _____