

PRIVACY NOTICE

Battle and Langton C of E Primary School processes personal information about its pupils and is a 'data controller' for the purposes of Data Protection legislation. We collect information from you and may receive information about your child from their previous school.



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)
- Assessment information
- Relevant medical information
- Special educational needs information
- Exclusions information
- Behavioural information
- Safeguarding information
- Photographs
- CCTV images

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

Some of the information we collect about pupils, such as their ethnicity and medical information are "special categories" of more sensitive personal information.

If we decide we need your explicit consent to process special category data we will contact you separately about this. We may also need to process special category data on the basis of substantial public interest.

Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to ensure the safety of our pupils
- 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
- to facilitate the operation of the schools electronic visitor/pupil entry system
- to enable electronic communications/lunch ordering/payment through our third party providers
- to monitor the borrowing of library books
- to promote the school
- To enable online learning in the event of school closures during the pandemic

The lawful basis on which we use this information

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a **legal obligation** (Article 6c)
- We need it to perform an official task in the **public interest** (Article 6e)

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained **consent** to use it in a certain way (Article 6a)
- We need to protect the individual's **vital interests** (or someone else's interests) (Article 6d)
- We have a genuine and legitimate reason and we are not harming any of your rights and interests

As a school, we also collect and use special category data, both to provide education and comply with our legal obligations. We have therefore identified additional lawful bases from [Article 9](#) of the GDPR. Most commonly, we process special category data where:

- We have gained explicit **consent** for the processing.
- Processing is necessary for reasons of **substantial public interest**. For example, when processing data in order to comply with the Special Educational Needs and Disability code of practice, the Supporting pupils at school with medical conditions or Keeping Children Safe in Education.
- We are required to for reasons of "public health", for example during a pandemic

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent.. If you wish to withdraw your consent at any time, please write to Mr Alexander, Deputy Head Teacher

If we decide we need your explicit consent to process special category data we will contact you separately about this.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

We do not process the data in any way that involves any automated decision making, including profiling.

Collecting pupil information

We collect pupil information via the admissions form that you fill in when your child joins the school. If your child joins from another school, we will receive a CSV file transferred from their school management system to ours. We also ask parents to check and update their data through the SIMS app regularly.

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 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

In most cases, we hold pupil data for the duration of the time the child is a pupil at this school (or until the child leaves statutory education if they do not transfer to another UK educational establishment). We may occasionally keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our retention policy sets out how long we keep information, this is available on request.

Who we share pupil information with

We do not share information about pupils with any third party without consent, unless the law 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 personal information about pupils with:

- schools that the pupils attend after leaving us – to enable them to continue their education
- our Local Authority (East Sussex) – to enable them to monitor the quality of education at our school
- Ofsted – to enable them to monitor the quality of education at our school
- the Department for Education (DfE) – to enable them to monitor the quality of education at our school
- NHS, school nurses and the police – to enable them to help us safeguard the children
- NHS Test and Trace – to fulfil our duties during the pandemic
- the school's chosen third party providers of electronic communications and online learning – to enable online learning to continue in the event of school closures during the pandemic
- the school's chosen third party providers of electronic payments – to efficiently run the school
- the school's chosen third party electronic attendance and visitor systems – to efficiently run the school
- some providers of teaching, learning and assessment software – to support high quality teaching and learning
- the school's chosen third party provider of reporting software – to efficiently run the school and ensure important information about children is shared by all teachers.
- The school's chosen third party provider of library book record software – to efficiently run the school

We check our third party providers for GDPR compliance to ensure they keep your data securely and inline with the law.

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, please put your request in writing to Mr Alexander, Deputy Head teacher.

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/>

Data Protection Officer

The school's Data Protection Officer can be contacted by emailing East Sussex Data Protection Officer Service at cs.dpa@eastsussex.gov.uk