

Privacy Notice (How we use pupil information)

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

- **Personal information** (such as name, unique pupil number and address, additional emergency contact information, parental email contacts, parental workplace for emergency contact, details of parental responsibility and shared contact arrangements, details of the provider of the information at admission, foster arrangements and proof of guardianship, proof of identification of pupils, details of siblings, details of other agency involvement e.g. LCSB)
- **Characteristics** (such as ethnicity, language, language spoken at home, country of birth and free school meal eligibility, immigration status, school history)
- **Attendance information** (such as sessions attended, number of absences and absence reasons)
- **Medical information** (such as GP contact or other medical professionals, NHS number, medical conditions including allergies and dietary requirements, immunisations, A 'care plan' for those who have specific medical needs or medication required to be administered, consent for sun-cream)
- **Photo consent** (such as internal on display or newsletters to parents, school website, local and national press)
- **Records of the payment of monies to school** (such as Educational visits, school meals, clubs – see Charging and Remissions policy)
- **Optional consent for curricular enrichment** (such as Forest School)
- **Other assessment information** (such as WellComm, Baseline on entry to school in any particular year or from other settings on transfer, Social, Emotional, Mental Health information (SEMHS), A learning journey in EYFS (Statutory information from the EYFS framework), Phonic ability, Reading and comprehension ages, Spelling ages and other school-based assessments to inform reporting to parents)
- **Special Educational Needs (SEN) assessments** (such as in-school assessments, other support agencies, P-level and Rochfort)
- **Pastoral information** (such as records to support Safeguarding and Child Protection)

Why we collect and use this information

We use the pupil data:

- to support pupil learning
- 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

The lawful basis on which we use this information

We collect and use pupil information under the following GDPR categories:

Article 6 - GDPR - Public task:

- *processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.*

Article 9 – GDPR – Processing of special categories of personal data

- *processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement*

pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

- *processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.*

From the Department of Education:

The submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under Section 537A of the Education Act 1996.

Putting the school census on a statutory basis:

- *means that schools do not need to obtain parental or pupil consent to the provision of information*
- *ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils*
- *helps to ensure that returns are completed by schools*

The Department for education has additional information that can be found at:

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

Where the following legislation that allows data collection is referenced:

- [section 114 of the Education Act 2005](#)
- [section 537A of the Education Act 1996](#)
- [section 83 of the Children Act 1989](#)

Additionally, information on your child's attendance at school is recorded and the following legislation allows this:

Regulation 5 of the Education (Pupil Registration) (England) Regulations 2006

- *The Education Act 1996 - section 434 (1), (3), (4) & (6) and section 458 (4) & (5)*
- *The Education (Pupil Registration) (England) Regulations 2006*
- *The Education (Pupil Registration) (England) (Amendment) Regulations 2010*
- *The Education (Pupil Registration) (England) (Amendment) Regulations 2011*
- *The Education (Pupil Registration) (England) (Amendment) Regulations 2013*
- *Departmental advice on attendance*

Finally, other assessment information to support the school's statutory duty to report annually to parents or carers on the progress made by their children. The following legislation allows this:

Schedule 1 of the Education (Pupil Information) Regulations 2005⁶³.

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 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 pupil data for time frames as identified in:

Sandwell's data retention policy

Or

The Information Management schoolkit for schools'.

This document can be found under our GDPR section of our website.

Who we share pupil information with

We routinely share pupil information as required, based on, for example, pupil need or take up of clubs with:

- schools that the pupil's attend after leaving us
- Our local authority
- The Department for Education (DfE), including daily attendance updates,
- Local Children's safeguarding board
- LADO
- LA Inclusion Support (such as Speech & Language team, Behaviour support, Visual Impairment)
- Third party learning providers (such as Numbots, Maths Flex, Purple Mash, Reading Plus, Marvellous Me, Big Cat Collins e-books, Reading Eggs, Broadband where individual pupil logins may be required, Microsoft for email, Microsoft Teams, Images in Art – Art exhibition)
- School Management Information system (such as SIMS, First Steps, School Fund Manager, EVOLVE Educational visits, WONDE parent information, name and email addresses.)
- Purchased external support (specifically Finance, Network Manager, FFT Aspire, NetworkIT24)
- Automated parental contact services (specifically Parent Pay, School Comms, Primary Contacts)
- NHS (such as School Nurse Team, CAMHS or where requested)
- External providers of extra-curricular provision (such as Music support, sport clubs, School photograph providers)
- External providers of SEMHS support (creative therapist – Murray Hall, KRUNCH, Kaleidoscope, BCWA, Lexia – RAND Europe)
- External providers of School Meals
- Attendance and prosecution service & Education welfare officer
- Internal school staff

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 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

dataprotectionofficer@abbey-jun.sandwell.sch.uk

Abbey Junior School

Barclay Road

Smethwick

B67 5LT

Our data protection officer resides at the above address to ensure there is no compromise with data processing at Cape Primary School.

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/>

Contact

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

dataprotectionofficer@abbey-jun.sandwell.sch.uk

Abbey Junior School

Barclay Road

Smethwick

B67 5LT

Table of changes/updates

What has changed?	Date of Change/Update
Additional provider with whom we share information. <ul style="list-style-type: none">EYFS/KS1 only - Assessment information for external SSIF projects (2018-19 only) Manor Teaching School Alliance and Ryders Hayes Teaching School.	September 2018
Removal of Nationality from information we collect about pupils.	September 2018
Removal of <i>EYFS/KS1 only - Assessment information for external SSIF projects (2018-19 only) Manor Teaching School Alliance and Ryders Hayes Teaching School.</i> Due to project ending	September 2020
Updated list of data sharing providers Reading plus, Espresso, Microsoft Teams for remote learning, WONDE/EdenRed FSM vouchers for lockdown. SEMH support Murray Hall, KRUNCH, Kaleidoscope, BCWA	January 2021
New network management company, art exhibition company	July 23
Updated Subscription services e.g. removed Education City and added Numbots, Maths Flex	July 24