

## **Privacy Notice**

**June 2018**

### **Why do we collect and use information?**

We use information about pupils to:

- support pupil learning;
- monitor and report on pupil progress;
- provide appropriate pastoral care;
- assess the quality of our services;
- comply with the law regarding data sharing.

We use information about the school workforce to:

- enable individuals to be paid;
- enable the development of a comprehensive picture of the workforce and how it is deployed;
- inform the development of recruitment and retention policies.

The lawful basis on which we process information is:

- for carrying out obligations under employment, social security or social protection law (Article 9.2b);
- for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6.1e);
- for the compliance with a legal obligation (Article 6.1c);
- for the performance of a contract with the subject or to take steps to enter into a contract (Article 6.1b).

For other aspects associated with our processing of information we seek explicit consent (Articles 6.1a, 9.2a).

### **Collecting information**

Whilst the majority of information provided 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 information to us or if you have a choice in this.

## Categories of information

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

Information held	Pupil	Parent	Staff	Volunteers & supply staff	Governors	Community	Basis
Personal information (such as name, address, email, telephone, DoB)	✓	✓	✓	✓	✓	✓	9.2b, 6.1b,c, e
Characteristics (such as ethnicity, religion, language, nationality, country of birth)	✓	✓	✓				6.1b,c, e
Eligibility for additional funding (such as childcare, free school meals)	✓	✓					9.2b, 6.1e
Attendance information	✓		✓		✓		6.1b,c
Assessment and performance information	✓		✓				6.1e
Medical information	✓	✓	✓				6.1e
Special educational needs	✓						6.1e
Exclusions / behavioural	✓						6.1e
Photo image of face	✓	✓	✓	✓	✓	✓	6.1a
Qualifications			✓				9.2b
Employment contract and pay				✓			9.2b, 6.1b
Safeguarding and welfare	✓	✓		✓			6.1c,e
CCTV (digital video of external site)	✓	✓	✓	✓	✓	✓	9.2b

### Photo images

We take and hold a digital image of your child for identification purposes. This image is shared across different school systems and securely held. We have a legal basis to hold this information.

We may take photos or video recording of your child(ren) and use them in a range of media, social media and the school website to inform parents and out school community about activities or events that children have taken part in. We may continue to use images after your child has left the school. We ask all parents to sign an agreement for this and we will not use any images of children for whom we do not have this in place.

### Storing information

Information is stored and held in a number of ways, including: electronically both local and off-site in secure storage accessible via the internet, and paper-based. We hold data for the following periods of time, based on Institute of Records Management recommendations for schools:

Pupils	Pupil files & photo image: length of time pupil is on roll Attendance: 3 rolling years to current Assessment information: length of time pupils is on roll plus 3 years
Parents	Length of time associated pupils are on roll Photo image, for as long as the parent is present on site
Staff	Six years after termination of employment, unless a safeguarding and/or disciplinary record is present
Governors	Length of time holding office plus up to one year when required information published on the school's web-site is updated Photo image, for as long as the governor is present on site
Volunteers & Supply staff	Length of period of engagement with school Photo image, for as long as volunteer/supply staff is on site
Community	Length of planned event/let plus 6 months Photo image, for as long as a member of community is present on site
CCTV	Six weeks

### **Who do we share information with?**

We routinely share pupil information with:

- schools and the local authority that the pupils' attend after leaving us. For schools outside of the European Union, we supply a hard copy of pupil information to their parent.
- the local authority, including Children's Services.
- the Department for Education (DfE).

We routinely share information about our workforce with:

- another school when an employee leaves us;
- our local authority, as the over-arching employer;
- the Department for Education (DfE).

We routinely share information between a range of different systems to hold and process information. We use encryption where information is moved between our own and external servers.

### **Why we share 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.

- The School has appointed Luton Borough Council (the "Caterer") to provide a schools meals service to its pupils and staff. In pursuance of this legitimate interest the school will share relevant personal data with the Caterer, including pupil name, class, dietary requirements and parental contact details. The Caterer is required to comply with the General Data Protection Regulation in the processing of the personal data.

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

- We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment. We are required to share information about our school employees with the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

## **Data collection requirements**

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005.

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to

<https://www.gov.uk/education/datacollection-and-censuses-for-schools>.

The Department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal 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 securely store and handle the data

To be granted access to school workforce information, organisations must comply with its 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>

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

## **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-pupildatabase-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, you have the right to request access to information about you that we hold. 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 ask 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 request access to your personal data or discuss anything in this privacy notice, please contact:

- Sue Dorban, Data Protection Officer, Warden Hill Infant School.

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

- our local authority on 546000 Data Protection Department

or

- the DfE website at <https://www.gov.uk/data-protection-how-we-collect-and-share-researchdata>

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, Yvonne Salvin at [feedback@luton.gov.uk](mailto:feedback@luton.gov.uk)
- Public Communications Unit

Department for Education

Sanctuary Buildings

Great Smith Street

London

SW1P 3BT

Website: [www.education.gov.uk](http://www.education.gov.uk)

email: <http://www.education.gov.uk/help/contact>

Telephone: 0370 000 2288