



# General Data Protection Regulations 2018

## Levendale Primary School Privacy Notice

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### How we use student information

As a school, we need to collect, store and use data about you, your family and your child. The data we collect, use and share allows us to operate in the public interest as a school. Without this, school improvement and the supporting, educating and safeguarding of your child would not be possible. We collect and hold personal information relating to our pupils and may also receive information about them from their previous school, local authority, the Department for Education (DfE) and/or other agencies who might be involved with your child.

#### *A. The categories of pupil information that we collect, hold and share include:*

- Personal information (such as name, address, DOB, unique pupil number and medical/dietary needs)
- Characteristics (such as ethnicity, language, nationality, country of birth, SEN information, and entitlements (free school meals / pupil premium))
- Key contact information (parental / other emergency contact details).
- Attendance information (such as sessions attended, number of absences and absence reasons and exclusions)
- Data which directly relates to personal welfare, wellbeing and performance of students, or that required by the Department for Education.
  - Internal assessment records (grades, scores etc.)
  - Current performance indicators.
  - School-based and nationally-set performance targets.
  - Relevant academic measures and standardised scores
  - External testing records.
  - Behavioural concerns and academic success.
- 'Child in need' information for pastoral support, safeguarding and wellbeing such as:-
  - information relating to instances of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection information and Child Protection Plan information)
  - instances of being looked after (such as important dates, information on placements)
  - outcomes for looked after children
  - adoptions (contact and support information).

## ***B. Why we collect and use this information***

The primary use of data is to support your child throughout their education from both personal and academic perspectives. We will also use data for internal analysis and for local and national statistical performance measures required by the Department of Education.

We use pupil data primarily to:-

- support pupil learning, intervention, and overall academic performance.
- monitor and report on pupil progress.
- provide appropriate pastoral care including wellbeing and safeguarding.
- assess the quality of our services and overall school performance.
- comply with the law regarding data sharing.
- comply with Department for Education requirements.
- communicate with parents.
- plan and coordinate internal and external testing
- coordinate trips, visits and school events.
- provide access to digital services.
- analyse student performance at individual and group level.
- evaluate and improve our policies and working practices.

## ***C. The lawful basis on which we use this information***

We collect and use pupil information under Article 6, and Article 9 where data processed is 'special category data' from the GDPR-from 25 May 2018, and for data collection purposes under the Education Act 1996 <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

In some specific circumstances, direct consent will be required for systems or processes which enhance the organisation offer such as:

- Media publicity (photographs / videos etc.)
- Access to digital platforms (via acceptable use policies).

We obtain positive consent from parents for these systems/processes annually.

We collect and use pupil information under

- The Education Act (various years)
- The Education (Pupil Registration) (England) Regulations
- The School Standards and Framework Act 1998
- The School Admissions Regulations 2012
- Children and Families Act 2014
- The Special Educational Needs and Disability Regulations 2014
- Article 6, and Article 9 (GDPR) – from 25 May 2018 (includes special category data)

# 1. 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.

## *A. Storing pupil data: retention period*

We hold pupil data for a maximum of 15 years within the school's management information system. Additional digital systems have a specific retention policy, as outlined in the **Levendale Retention Schedule**, accessible via the school website.

## *B. Who we share pupil information with*

We routinely share relevant and specific pupil information with:

- schools that children attend when they transfer from Levendale
- Stockton-on-Tees Local Authority
- the Department for Education (DfE) and their connected systems
- digital technology and IT platform providers (basic details to provide access)
- Management information system hosts and hosted data analysis systems (for internal use)
- The Standards and Testing Authority
- Referral organisations (where applicable).
- Financial systems (e.g. for 30hrs provision in Early Years).
- Special Educational Needs organisations (where applicable).
- Sporting organisations (e.g. events).
- Our website host (promotion of school activities and events – if consent given).

We are required, by law, to pass certain information about our pupils to our local authority (LA) and the Department for Education (DfE).

The DfE may also share pupil level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the General Data Protection Regulations and Data Protection Act.

Decisions on whether the DfE releases this personal data to third parties are subject to a robust approval process and are 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 level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

## 2. 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. Systems which access basic pupil level data in school are required to for hosted school services.

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

## 3. 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>.

## 4. 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>.

Pupil level information was first collected in January 2002 as part of the Pupil Level Annual Schools Census (PLASC). The School Census replaced the PLASC in 2006 for secondary schools and in 2007 for nursery, primary and special schools.

The School Census is carried out three times a year in the spring, summer and autumn terms (January, May and October respectively) and provides the department with both pupil and school-level data.

Pupil level data is collected from the following types of schools:

- Nursery - maintained and direct grant nursery schools.
- Primary - middle deemed primary schools and academies.
- Secondary - middle deemed secondary schools and academies and City Technology Colleges.
- Special - maintained and non-maintained special schools, hospital special schools and academies.

Note: References to academies above include free schools.

The School Census is made up of separate modules. These modules collect information about:

- Pupil identifiers
- Pupil characteristics
- Pupil status
- Special educational needs
- Home addresses
- Absence
- Exclusions

New and updated data from the spring, summer and autumn School Census collections is available in the NPD in July, August and January respectively.

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>

## 5. 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's Data Protection Officer, Mr David Turner or the Headteacher, Dr Richard Beadnall via : [levendale.school@stockton.gov.uk](mailto:levendale.school@stockton.gov.uk) with the title 'Subject access request'.

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.

## **6. Contact**

If you would like to discuss anything in this privacy notice, please contact the Headteacher, Dr. Richard Beadnall.

Privacy notice reviewed and updated May 2018 – to be reviewed annually.