# Privacy Notice (How we use pupil information)

**[Enter who is responsible for this information. For example, Anytown Academy is the Data Controller for the use of personal data in this privacy notice]**

**[Suggested wording to give to pupils and parents to explain how information about pupils is used in educational settings such as; schools, alternative provision, pupil referral units and early years providers. You must review and amend to reflect local needs and circumstances, as you will process data that is not solely for use within data collections]**

## The categories of pupil information that we process include:

* personal identifiers and contacts (such as name, unique pupil number, contact details and address)
* characteristics (such as ethnicity, language, 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 (such as sessions attended, number of absences, absence reasons and any previous schools attended)
* assessment and attainment (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)

**[Settings need to add to this list other categories of pupil information that they process. These might include, for example; trips and activities, catering and free school meal management and identity management/authentication]**

This list is not exhaustive, to access the current list of categories of information we process please see **[link to website or location of data asset register / current privacy notice]**

## Why we collect and use pupil information

**[Setting to insert both the purposes and lawful bases for collecting and using pupil information]**

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

We collect and use pupil information, for the following purposes:

1. to support pupil learning
2. to monitor and report on pupil attainment progress
3. to provide appropriate pastoral care
4. to assess the quality of our services
5. to keep children safe (food allergies, or emergency contact details)
6. to meet the statutory duties placed upon us by the Department for Education

**[Settings need to add to this list any other reasons for which they collect and use pupil information]**

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information are:

**[Setting to document the lawful basis for each purpose (must include a basis from Article 6, and one from Article 9 where data processed is special category data from the GDPR). Ensure you list all relevant legislation that supports the lawful basis. For DfE data collections see relevant legislation for each specific** [data collection](https://www.gov.uk/education/data-collection-and-censuses-for-schools) **you collect data for]**

* for the purposes of **[Insert purpose / purposes]** in accordance with the legal basis of **[Insert legal basis]**

In addition, concerning any special category data:

* conditions **[Insert conditions]** of [GDPR - Article 9](https://gdpr-info.eu/art-9-gdpr/)

**[Settings to extend to list lawful basis / bases for each purpose that they are processing. Each of the special categories should be repeated for the purposes of transparency and explain what special category relates to what]**

## Collecting pupil information

We collect pupil information via **[explain method of data collection used, for example registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from 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 requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

## 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 **[link to website]**

**[Settings should explain or reference the appropriate data retention documents that show where data is held, the security arrangements (high level), and policies about safe use of data within the setting. Ideally, this section should link to policies that are easily accessible and regularly reviewed].**

## Who we share pupil information with

We routinely share pupil information with:

* schools
* local authorities
* youth support services (pupils aged 13+)
* the Department for Education (DfE)

**[Settings need to amend and extend this list to include all other parties with whom they regularly share pupil information. Examples include, academy chains, federations, Multi Academy Trusts (MATs), school nurse, NHS.]**

## Why we regularly 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. **[Setting to explain why they share pupil data and insert any relevant legislation for sharing it with those named in ‘Who we share pupil information with’ section. It is also useful to state how the data is transferred and link to any data retention policies where available]**

## Youth support services

### Pupils aged 13+ [For use by educational settings with students aged 13+:]

Once our pupils reach the age of 13, we also pass pupil information to our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

* youth support services
* careers advisers

A parent or guardian can object to any information in addition to their child’s name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once they reach the age 16

Data is securely transferred to the youth support service via **[insert method used]** and is stored **[insert storage]** and held for **[insert data retention period]**.

### Pupils aged 16+ [For use by educational settings with students aged 16+:]

We will also share certain information about pupils aged 16+ with our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

* post-16 education and training providers
* youth support services
* careers advisers

A child / pupil once they reach the age of 16 can object to only their name, address and date of birth is passed to their local authority or provider of youth support services by informing us.

Data is securely transferred to the youth support service via **[insert method used]** and is stored **[insert storage]** and held for **[insert data retention period]**.

For more information about services for young people, please visit our local authority website.

## Department for Education

The Department for Education (DfE) 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 Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

**[Setting to insert relevant legislation for their sharing of pupil information with DfE. See relevant legislation for each specific** [data collection](https://www.gov.uk/education/data-collection-and-censuses-for-schools) **you complete]**

**Examples for school census:**

**[For use by maintained schools only:]** section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

**[For use by academies and free schools only:]** regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

**[For use by pupil referral units only:]** regulation 4 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](https://www.gov.uk/government/publications/security-policy-framework).

For more information, please see ‘How Government uses your data’ section.

**Local Authorities**

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 [Schools Admission Code](https://www.gov.uk/government/publications/school-admissions-code--2), including conducting Fair Access Panels.

## Requesting access to your personal data

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 **[setting to include details of their administrator / Data Protection Officer]**

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 DfE, please see the ‘How Government uses your data’ section of this notice.

## Withdrawal of consent and the right to lodge a complaint

**[For use where consent is the lawful basis. Therefore, where consent is NOT used, this section will need to be deleted]**

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 **[identify a suitable representative here xxxxxx along with their contact details]**

## 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 on **[insert data notice was drafted/last updated].**

## Contact

If you would like to discuss anything in this privacy notice, please contact: **[Setting to insert name / address / contact details of its administrator or Data Protection Officer]**

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

Our local authority at [**http://www.ealing.gov.uk/info/200527/your\_child\_at\_school/710/schools\_privacy\_notice**](http://www.ealing.gov.uk/info/200527/your_child_at_school/710/schools_privacy_notice) or

The DfE website at

[**https://www.gov.uk/data-protection-how-we-collect-and-share-research-data**](https://www.gov.uk/data-protection-how-we-collect-and-share-research-data)

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

Perceval House

14-16 Uxbridge Road

Ealing

London

W5 2HL
Tel: (020) 8825 8282
Email: dataprotection@ealing.gov.uk

Public Communications Unit
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Telephone:0370 000 2288

Email: <http://www.education.gov.uk/help/contactus>

## 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**

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

* schools
* 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 DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically suppliesdata on around 600 pupils per yearto 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 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 DfE hold 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

If you want to see the personal data held about you by the Department, you should make a ‘subject access request’. Further information on how to do this can be found within the Department’s personal information charter that is published at the address below:

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

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