



Privacy Notice: Manor Beach Primary School

How we use information about pupils in school

What information we collect, hold and share

We collect and hold personal information relating to our pupils and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE).

This information will include their personal information such as contact details, unique pupil number, date of birth, free school meal eligibility, assessment information, attendance information, behaviour and exclusion information, where they go after they leave us and personal characteristics such as their ethnic group, nationality, country of birth, language and any special educational needs and medical information.

We, Manor Beach Primary School, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Miss Jane Mason, Headteacher

Why we collect and hold 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
- to determine and record attendance
- to safeguard pupils
- submit the school census returns which is a statutory requirement on schools under Section 537A of the Education Act 1996

The lawful basis on which we use this information

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:
 - (c) Processing is necessary for compliance with a legal obligation to which the controller is subject;

Article 9

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.
2. Paragraph 1 shall not apply if one of the following applies:
 - (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy (shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

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 will keep personal information about you while you are a pupil at our school. We may also keep it after you have left the school, where we are required to by law.

We have a Retention Policy which sets out how long we must keep information about pupils.

This is available from the school website and can also be obtained from the school office. A small charge will be made for photocopies should a paper copy be required.

We hold pupil data for:

- Attendance registers – 3 years
- Pupil's Educational Record – whilst the child remains at our primary school. This is transferred to either the secondary school or another primary school should the child move primary school.
- SATs – for the current year plus 6 years after that.
- SEND files, reviews and Individual Education Plans etc–whilst the child remains at our primary school. This is transferred to either the secondary school or another primary school should the child move primary school. Copies are only kept if there is an on-going legal action when the pupil leaves your school. This information is kept for a total of 25 years.

On expiry of the data holding period, records are destroyed or deleted in a secure manner

Who we share pupil information with

We do not share personal information about you with anyone outside the school without permission from you or your parents/carers, unless the law and our policies allow us to do so.

We use SIMS as the main database to record pupil information as required by The Department for Education (DfE). The system is supported by the Local Authority by BT Lancashire Services.

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

We routinely share pupil information with:

- Our local authority
- Schools that you attend after leaving us
- The Department for Education (DfE)
- Your family and representatives
- Health and social welfare organisations e.g. Children's Social Care, Child Adolescent Mental Health Services (CAMHS), NHS, school nurse, paediatrician etc
- Our regulator (the organisation that supervises us) , e.g. Ofsted
- Suppliers and service providers – so that they can provide us with the services we have contracted them for e.g. Tempest - School photographer, Cool Milk – school milk provider, PGL – Year 6 Residential
- CPOMS – which is a Child Protection and Safeguarding system
- Teachers2parents – text messaging system – allows us to send text messages to your parents/carers and organise Parents' Evening appointments and provide.
- ParentPay – online payment system for trips, uniform and school catering
- Central government
- Lancashire County Council - library
- Survey and research organisations – who want to find out more about pupils.
- Professional advisers and consultants- e.g. Educational Psychologists,
- Police forces, courts, tribunals – so school can work alongside school

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 the school Data Protection Officer – Miss Jane Mason (Headteacher)

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:

Miss Jane Mason 01253 853879 head@manorbeach.lancs.sch.uk