

# Privacy notice – How we Use Student Information

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data. This privacy notice explains how we collect, store and use personal data about students. It is based on the Department for Education's model privacy notice for students amended to reflect the way we use data in this school.

We, Earlsmead Primary School, Arundel Drive, Harrow HA2 8PW, are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Ms Monique Gregory (see 'Contact us' below).

## The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about students includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set examinations
- Student and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Educational Visit records
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school
- Bio metric data used as part of the school's cashless payment system

We may also hold data about students that we have received from other organisations, including other schools, local authorities and the Department for Education.

## Why we use this data.

We use this data to:

- Support student learning
- Monitor and report on student progress
- Provide appropriate pastoral care
- Protect student welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

## **Our legal basis for using this data**

We only collect and use students' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation, including our legal duty to educate students under the Education Act 1996, and to provide related services
- We need it to perform an official task in the public interest

Less commonly, we may also process students' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use students' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using students' personal data overlap, and there may be several grounds which justify our use of this data.

## **Collecting this information**

While the majority of information we collect about students is mandatory, there is some information that can be provided voluntarily. Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

## **How we store this data**

We keep personal information about students while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Please see the Information and Records Management Society's Toolkit for Schools, available from the school website, which sets out how long we keep information about students.

## **Data sharing**

We do not share information about students with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about students with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education – to meet our legal obligations under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013
- The student's family and representatives
- Educators and examining bodies – as part of delivering the curriculum
- Ofsted – to meet regulatory requirements around inspections
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations – to enable us to provide services to students such as the catering provision
- Our auditors - to meet the requirements of the Academies Financial Handbook and the Academies Accounts Direction.
- Health authorities - to enable them to provide services and support to students
- Police forces, courts, tribunals

- Health and social welfare organisations - to enable them to provide services and support to students
- Professional advisers and consultants - to enable them to provide the service we have contracted them for
- Charities and voluntary organisations - to enable them to provide services and support to students

## **National Pupil Database (NPD)**

The NPD is owned and managed by the Department for Education and contains information about students in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Education (Information About Individual Pupils) (England) Regulations 2013 requires us to provide information about students to the Department for Education as part of statutory data collections such as the school census. Some of this information is then stored in the NPD.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

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

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

## **Parents and students' rights regarding personal data**

Under data protection legislation, parents and students 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, please contact our Data Protection Officer.

### **Other rights**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Withdraw consent by writing to us if we rely on your consent to justify processing your information,
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer.

## **Complaints**

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Officer**:

- Ms Monique Gregory, Earlsmead Primary School, Arundel Drive, Harrow HA2 8PW