



## Privacy Notice (How we use pupil information)

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

- Personal information (such as name, unique pupil number and address)
- Safeguarding concerns (inc. legal documentation)
- Characteristics (such as ethnicity, language, nationality, country of birth, free school meal eligibility, pupil premium, INA status – Asylum Seeker, Refugee, Economic Migrant, Looked after child, Adopted)
- Medical information (inc. Individual Care plans), allergies, medical needs and dietary requirements
- Assessment information relating to academic progress, pupil attainment and educational performance
- Special Educational Needs or Disabilities information
- Personal Emergency Evacuation Plans (PEEPS)
- Behavioural information including exclusions
- Information from Early Years providers or records from previous schools
- Parent/Carer information and details of those authorised to collect children (such as name, address, contact details, phone numbers and email addresses)
- Images of pupils engaging in school activities (onsite and offsite), and images captured by the school's CCTV system (in accordance with the school's policy on taking, storing and using images of children)
- Biometric information (library)
- Information to support learning within virtual learning platforms (e.g. Mathletics, AR Reading, Frogos, Bug Club)
- School lunch options (dinner lists)
- School Comms (text messaging service)
- School trip and visit data (Evolve)
- Attendance information (such as sessions attended, number of absences and absence reasons)

### Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to work with agencies supporting pupil safeguarding
- to assess the quality of our services
- to comply with the law regarding data sharing
- to provide support for pupils with special learning needs or disabilities
- to comply with all statutory data returns to the DfE and their partner organisations
- to qualify the child is eligible of funding and to calculate finding
- to provide data to the local authority as required statute or by current contracts, service level agreements or data sharing agreements with the local authority
- to inform next educational providers and/employers of relevant pupil performance and contextual information
- biometrics for library use
- for identification purposes (i.e. photographs on school database)
- images for displays, newsletters, website and school promotional material/school photos (if provided with parental consent)

### The lawful basis on which we use this information

We use information about children and young people to enable us to carry out specific functions for which we are responsible. We also use this personal data to derive statistics which inform decisions we make regarding the running of the school, the curriculum, safeguarding and to assess pupil outcomes.

The lawful basis is as follows

(Article 6):-

- the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- processing is necessary for compliance with a legal obligation to which the controller is subject;
- processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

And (Article 9)

- processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent

## **We collect and use pupil information under responsibilities set out within:-**

- Education Act 2002 Section 33
- Education Act 1996
- Children and Families Act 2014 (SEND Reforms)
- Childcare Act 2006
- The Early Years and Foundation Stage Order 2007
- The Education and Skills Act 2008
- The Apprenticeship, Skills, Children and Learning Act 2009
- Equality Act 2010
- Children Act 1989
- Adoption and Children Act 2002
- Children and Young Persons acts 1963 (Regs 1968)
- Education (Governors Annual Reports – England) (Amendments) Regulations 2002 SI2002 No 1171
- Schools Standards and Framework Act 1998 and Academies Act 2010
- Schools Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, school adjudicators and admission appeals panels December 2014
- Schools Admission Appeals Code February 2012 Statutory guidance for school leaders, governing bodies and local authorities
- School attendance: Department advice for maintained schools, academies, independent schools and local authorities November 2016
- DBS Update Service Guide June 2014
- Keeping Children Safe In Education – Statutory Guidance Sept 2016
- 'Working Together to Safeguard Children' – A guide to interagency working to safeguard children – March 2015
- An employer's right to work checks (Home Office May 2015)
- Limitation Act 198 (section 2)
- Social Security (claims and Payments) Regulations 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980
- COSHH Regulations 2002. SI 2002 No 2677 Regulation 11; Records kept under the 1994 and 1999 Regulations to be kept as is the 2002 Regulations had not been made. Regulation 18
- Control of asbestos at work regulations 2002 SI 1012 No632 Regulation 19
- The Education (Pupil Information) (England) Regulations 2005 SI 2005 No 1437
- Education Act 1996. Special Educational Needs and Disability Act 2001 Section 1
- Outdoor Education Advisers Panel National Guidance Section 3 – Legal Framework and Employer Systems and Section 4 – Good Practice

The submission of the school census return, including a set of named pupil records, is a statutory requirement on school under Section 537A of the Educational Act 1996. This means that schools do not need to obtain parental or pupil consent to the provision of information and ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils.

## 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 at the point of collection.

## Storing pupil data

We hold children and young person's data for various periods of duration as determined by School's Retention Policy

Under the Freedom of Information Act 2000, schools are required to keep a retention schedule listing all data on file, and detail the length of time this record should be maintained

For more information regarding the retention policy, please ask the office.

## Who we share pupil information with

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- the Local Authority (including Children's Social Care)
- the Department for Education (DfE)
- Providers of alternative educational provision
- The school federation, academy chain, Multi Academy Trust
- School Nursing Team (NHS)
- NHS/Local Health and their commissioned health services (such as Speech and Language, Inclusion Support)
- School Transport Services
- School Photography Services (if consent has been given)
- Police Forces
- All children's services – for instance; Early help, Family Support Workers, COG, Sandwell Women's Aid, attendance Services
- External Agencies (Swimming and Sports)
- Reading Volunteers
- Children's Centre

This is a representative sample list and is subject to change at any time. Please contact the school for more information.

## 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 share pupils' data with the local authority to allow them to carry out statutory duties including the identification of children missing in education, and to ensure that all pupils get a suitable education, in line with sections 436A and 437 of the Education Act 1996. The local authority also has responsibilities around the identification of pupils with special educational needs as identified in section 22 of the Children and Families Act 2014.

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 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 business manager, Jatinder Nahal at [jatinder.nahal@lodge.sandwell.sch.uk](mailto:jatinder.nahal@lodge.sandwell.sch.uk) or the Data Protection Officer, Sue Courtney Donovan at [gdpr@sipseducation.co.uk](mailto:gdpr@sipseducation.co.uk)

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:

Jatinder Nahal (School Business Manager)  
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