



# Privacy Notice for Pupils

Version	Author	Policy approved by	Approval date	Review date	Changes made?
V1	Information Governance Team	Information Governance Team	15.06.2018	1.09.2019	No Changes
V2	Information Governance Team	Information Governance Team	01.09.2019	01.09.2020	No Changes
V3	Information Governance Team	Information Governance Team	23.09.2020	01.09.2021	Updated changes regarding Lawful Basis
V4	Information Governance Team	Information Governance Team	10.11.2021	01.09.2022	Changes to Consent
V5	IG Team	IG Team	28.10.2022	01.09.2024	We collect; Categories; Lawful basis; Storing data; Sharing data

## **How we use pupil information;**

We, Livingstone Primary School are a data controller for the purpose of the General Data Protection Regulation. We collect information from you and may receive information about you from your previous school, local authority and/or the Department for Education.

## **We collect your information to;**

- to support pupil learning and the delivery of education
- 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 comply with our statutory obligations

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

- Personal identifiers and contacts (such as name, date of birth, unique pupil number, address, family contact details)
- Characteristics (such as ethnicity, language, religion and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs and disability status
- medical and administration (such as doctor's information, health, allergies, medication and dietary requirements)
- attendance
- assessment and attainment

- behavioural information

We share pupil data with a number of services in order to provide appropriate support for our pupils. This will include Local Authority educational services including specialist inclusion, support and access services as well as health services like School Nursing.

**The lawful basis on which we use this information;**

When we collect, process or share your information, we ensure it is lawful for at least one of the following reasons:

- **Article 6(1)(c) - legal obligation**  
We are required to process pupil data so that we meet the legal requirements imposed upon us such as our duty to look after you and protect you from harm.
- **Article 6(e) - public interest**  
It is necessary for us to disclose your information so that we can provide you with an education and look after you. This is known as being in the public interest and means we have real and proper reasons to use your information

Sometimes, we may also use your personal information where:

- **Article 6(1)(a) - consent**  
Consent may be relied upon to process some forms of pupil data which are not used within the normal business of the school such as use of photographs in the public domain or arranging school trips.
- **Article 6 (d) - vital interest**  
It is in your or another's vital interests for your personal information to be passed to these people or services, to the extent that it is necessary to save someone's life.

We do not process any special categories of personal data except where necessary for:

- Reasons of substantial public interest in complying with legal obligations (including under the Equality Act 2010). **(Article 9(2)(g)).**
- Explicit consent given by the data subject **(Article 9(2)(a)).**
- Purposes of preventive or occupational medicine **(Article 9(2)(a)).**

Where the legal reason for processing your personal information is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of our processing prior to your withdrawal. Please contact the office should you wish to withdraw your consent for any of the above activities.

**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 hold all pupil data in line with the agreed retention schedule. For more information on our data retention schedule and how we keep your data safe please contact the office.

### **Who we share pupil information with;**

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority, Tameside Metropolitan Borough Council
- the Department for Education (DfE)

We will not give information about you to anyone outside this establishment without your consent unless the law permits it. We are required by law to pass some of your information to the Local Authority for monitoring, tracking and provision of appropriate services, and to the Department for Education.

These organisations are then required to share some of this information with trusted partners including NHS Trusts and other Local Authorities in the case of admissions. Appropriate data will be used by certain Local Authority services to provide the best support possibly to children and young people.

There may be circumstances in which we may lawfully share personal data with third parties where, for example, we are required to do so by law, by court order, or to prevent fraud or other crimes. Where we share data, however, we shall do so in accordance with applicable data protection laws.

### **Why we share pupil information;**

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, please contact the School office to make a request or alternatively you can view our Data Subject Rights Policy on the school website.

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:

Data Protection Officer  
Stockport Metropolitan Borough Council  
1st Floor

Stopford House  
Stockport  
SK1 3XE  
dpa.officer@stockport.gov.uk  
0161 474 2227