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General Data Protection Regulation (GDPR) Privacy Notice

2023-24

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Ecclesall Primary School

Privacy Notice

Introduction

Ecclesall Primary School is a 'data controller' under the General Data Protection Regulation (GDPR). GDPR will replace the existing Data Protection Act. As a data controller we determine the purposes and means of processing personal data.

Being transparent and providing accessible information to individuals about how we will use personal data is a key element of the Data Protection Act 1998 (DPA) and the EU General Data Protection Regulation 2018 (GDPR).

The Privacy Notice aims to identify personal data we gather, who uses this data, who we disclose the data to and how we manage this data. It also gives the person whose data we hold control of their own information.

Personal data is anything that can identify a person directly or indirectly in particular by reference to an identifier.

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

Pupils

- Personal information (such as name, unique pupil number and address).
- Characteristics (such as gender, ethnicity, language, nationality, country of birth and free school meal eligibility).
- Attendance information (such as sessions attended, number of absences and absence reasons).
- Medical information.
- Special educational needs information.
- Assessment and attainment information.

Parents

- Personal Information (name, address, telephone number(s), email address)

Staff

- Personal Information (name, address, telephone number(s), email address, DOB, NI Number, education, qualifications, tax code)
- Characteristics (gender, ethnicity, details of any known disability)
- Emergency contact details
- Bank details
- Employment details within our organisation (contract, salary records, employment dates, DBS checks, holidays, absence information, accidents connected with work, any training taken, any disciplinary action, physical or mental health, criminal convictions)

Governors/Volunteers/Contractors/Students

- Personal Information (name, address, telephone number(s), email address)
- Emergency contact details (if applicable)
- DBS details

Why we collect and use this information

Pupils

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.

Staff

We use staff data:

- For recruitment and selection
- To ensure correct remuneration
- For communication purposes
- To safeguard children
- To ensure we are carrying out our legal duties

Governors/Volunteers/Contractors/Students

We use data:

- For communication purposes
- To safeguard children
- To ensure we are carrying out our legal duties

The lawful basis on which we use this information

We may use multiple lawful basis' for processing different information.

Pupils

- Legal obligation: Processing of information is necessary under Article 6(1)(c) of the GDPR to comply with law.
- We collect and use pupil information under Article 6(1)(e) of the GDPR so that we can carry out a public task.
- We collect and use pupil information under the Education Act 1996.

Staff

- Legal obligation: Processing of staff information is necessary under Article 6(1)(c) of the GDPR to comply with law.
- Contract: the processing is necessary under Article 6(1)(b) for a contract we have with an individual.
- Consent: Under Article 6(1)(a) the individual has given clear consent for school to process personal data for a specific purpose.

Governors/Volunteers/Contractors/Students

- Legal obligation: Processing of information is necessary under Article 6(1)(c) of the GDPR to comply with law.
- Consent: Under Article 6(1)(a) the individual has given clear consent for school to process personal data for a specific purpose.

Collecting information

Whilst the majority of 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 information to us or if you have a choice in this.

Storing data

We store data electronically and also have manual filing systems.

Data Retention

We have a legal obligation to hold data for different periods of time. Please see our Retention Policy for more information.

Who we share information with

Pupils

We routinely share pupil information with:

- Schools that the pupil's attend after leaving us.
- Our local authority.
- The Department for Education (DfE).
- Speech & Language Therapists.
- School Nurse.
- School Therapist where necessary.
- Multi Agency Support Team.

Staff

We share information with:

- Our HR providers.
- Our local authority.
- The Department for Education (DfE).

Governors/Volunteers/Contractors/Students

We do not share any information.

Why we share information

Pupils

- 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.

Staff

- We share staff data with the Department for Education (DfE) on a statutory basis.
- We share staff personnel information with our HR provider to ensure correct contracts and remuneration.

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>.

Pupils: 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.
- 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, pupils and any other adults 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 Mr Raj Jahangir.

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.
- 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:

Raj Jahangir
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