



MALCOLM SARGENT PRIMARY SCHOOL

Love To Learn

PRIVACY NOTICE UNDER GDPR FOR PUPILS AND THEIR FAMILIES HOW THE SCHOOL USES PUPIL INFORMATION MAY 2020-MAY 2022

What categories of information are processed?

The categories of personal information that we process include the following:

- Personal identifiers and contacts ie name, unique pupil number, contact details and address
- Characteristics ie ethnicity, language and eligibility for free school meals
- Safeguarding information ie court orders and professional involvement
- Special educational needs and disabilities (SEND) information ie any needs you have
- Medical and administration ie doctors' information, your health, allergies, medication and dietary requirements
- Attendance ie sessions attended, number of absences, reasons for absences and any previous schools you have attended
- Assessment and attainment ie any relevant test and exam results
- Behavioural information ie exclusions and any relevant alternative provision put in place
- Child protection information ie any information relating to safeguarding or child protection issues
- Free School Meal information ie parent name and National Insurance information to allow the local authority to check eligibility

This list is not exhaustive. To access the current list of information the school processes, please see the school's Data Asset Register which can be provided on application to the school's Business Manager.

Why do we collect and use your information?

We collect and use your information for the following reasons:

- To support pupil learning
- To monitor and report on pupil attainment and progress
- To provide appropriate pastoral care
- To assess the quality of our services
- To keep pupils safe
- To meet legal duties placed on us by the government

Under the GDPR, the legal basis/bases we rely on for processing personal information for general purposes are:

- Consent

- Contract
- Legal obligation
- Vital interests
- Public task
- Legitimate interests

Under the GDPR, the legal basis/bases we rely on for processing sensitive personal information for general purposes are:

- Explicit consent
- Legal obligation
- Vital interests
- Not for profit body
- Data made public
- Legal claims
- Substantial public interest
- Preventative or occupational medicine
- Public interest (health)
- Public interest (scientific, historical or statistical)

We also process data for the purpose of supporting pupil learning, in accordance with the legal basis of legal obligation, paragraph 2 (g) of Article 9 and Section 537A of the Education Act 1996.

How do we collect your information?

We collect your personal information via the following methods:

- Admission forms
- Parentmail request
- Common Transfer File (CTF) from your previous school
- Data transfer from your previous nursery
- Child protection plans

Whilst the majority of information you provide to us is mandatory, some of it is requested on a voluntary basis. We will inform you at the point of collection whether you are required to provide certain information to us or if you have a choice.

How do we store your information?

We hold your personal information securely for the set amount of time shown in the school's Data Protection Policy, which is available on request from the school office or to download from the school's website at:

www.malcolmsargentschool.co.uk

Who do we share your information with?

We routinely share your information with, but not limited to:

- The local authority (the LA)
- The Department for Education (the DfE)
- Schools that your child joins after leaving us
- The School Nursing Service and the NHS
- Selected third party data processors for the sole purpose of enhancing teaching or improving behaviour (such data usually only being the first and/or surname of your child unless consent to share more has previously been obtained)

Why do we share your information?

We do not share information about you with anyone without your consent, unless the law and our policies allow us to do so. Under this, we do share your information with the Department for Education (the DfE). The DfE collects personal information from us through various collections the school is required to undertake legally. We are required to share information about pupils with the DfE either directly or via our local authority (LA) for the purpose of those data collections, under Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

All information we share with the DfE is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

How does the government use your data?

The government uses your data via the National Pupil Database (the NPD). The NPD is owned and managed by the DfE and contains information about pupils in schools in England. It provides evidence on educational performance to inform independent research as well as studies commissioned by the DfE.

Information on the NPD is held in an electronic format and it is securely collected from a range of sources, including schools, LAs and awarding bodies.

You can find out more about the NPD by following this link: <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

Sharing by the DfE

The DfE is legally allowed to share pupils' personal information with certain third parties, including the following:

- Schools
- LAs
- Researchers
- Organisations connected with promoting the education or wellbeing of pupils

- Other government departments and agencies
- Organisations fighting or identifying crime
- Organisations fighting or identifying crime, such as the Home Office and the police, may use their legal powers to contact the DfE to request access to individual level information relating to a crime. The DfE typically supplies information on around 600 pupils per year to the Home Office and approximately one per year to the police.

For more information about how the DfE collects and shares pupil information, you can look at the information in the following two links:

<https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>

<https://www.gov.uk/government/publications/dfE-external-data-shares>

How to find out what personal information the DfE holds about you

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.
- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

You can also contact the DfE directly using its online contact form by following this link: <https://www.gov.uk/contact-dfe>

What are your rights?

You have specific rights to the processing of your data, these are the right to:

- Request access to the information the school holds about you.
- Restrict our processing of your personal data, i.e. permitting its storage but no further processing.
- Object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics.
- Have your personal data rectified if it is inaccurate or incomplete.
- Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- Request the deletion or removal of personal data where there is no compelling reason for the continued processing.

- Seek compensation, either through the ICO or the courts.

If you want to request access to the personal information that we hold about you, please contact Joe Lee, our Data Protection Officer (DPO) at joe.lee@ark.me

If you are concerned about the way we are collecting or using your information, please raise your concern with the school's DPO in the first instance. You can also contact the ICO at <https://ico.org.uk/concerns/>.

How to withdraw consent and lodge complaints

Where our school processes your personal data with your consent, you have the right to withdraw your consent.

If you change your mind or are unhappy with how our school uses your personal data, you should let us know by contacting the DPO at joe.lee@ark.me.

How can you find out more information?

If you would like to discuss anything in this privacy notice, please contact the DPO at joe.lee@ark.me.

If you require further information about how we and/or the DfE store and use your personal data, please visit our website at www.malcolmsargentschool.co.uk, the Gov.UK at www.gov.uk or download our Data Protection under GDPR Policy from our website. Hard copies are also available from the school office on request.

Declaration

I declare that I understand:

- The categories of my personal information the school collects and uses.
- The school has a lawful basis for collecting and using my personal information.
- The school may share my information with the DfE, LA and other stated organisations.
- The school does not share information about me with anyone without my consent, unless the law and our policies allow them to do so.
- My information is retained in line with the school's Data Protection under GDPR Policy.
- My rights to the processing of my personal information.