



## *St Mary's Catholic Primary School* **Privacy Notice** [September 2021]

### **Information on Pupils**

When a pupil joins St Mary's Catholic Primary School, we use personal information that we gather in relation to the pupil for various purposes. Information that we hold in relation to the pupil is known as 'personal data'. This will include data that we obtain from the pupil directly and data about the pupil which we obtain from other people and organisations. We might also need to continue to hold a pupil's personal data for a period of time after they have left the school. Anything that we do with your personal data is known as 'processing'.

The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctor's information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- educational details (such as details of previous/future schools).
- religious beliefs

*This list is not exhaustive.*

### **Why we collect and use pupil information**

The personal data collected is essential, in order for the schools to fulfil their official functions and meet legal requirements.

We collect and use pupil information, for the following purposes:

- to support pupil learning
- to monitor and report on pupil attainment progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us for DfE data collections
- to make sure everyone is treated fairly and equally
- to celebrate pupils' achievements

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information are in accordance with the Legal Basis of Public Task (collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function); Vital interests (to

keep children safe – food allergies, or medical conditions) and in accordance with the legal basis of Legal obligations; data collected for DfE census information.

- Section 537A of the Education Act 1996
- the Education Act 1996 s29(3)
- the Education (School Performance Information)(England) Regulations 2007
- regulations 5 and 8 School Information (England) Regulations 2008
- the Education (Pupil Registration) (England) (Amendment) Regulations 2013

In addition, the schools will on occasion need to process special category personal data (concerning health, ethnicity, religion, or sexual life) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employments, or from time to time by explicit consent where required.

Sometimes we need permission to use pupil information. This includes taking pictures or videos of pupils to be used on our website, social media or in the newspaper.

### **How we collect pupil information**

We collect pupil information in the following ways;

- From the student;
- From the (parents/guardians/carers), and other children's (parents/guardians/carers);
- Our staff;
- Previous schools or education providers; and
- People from other organisations, including doctors or the local authority for example.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

### **How we store pupil data**

We will hold information relating to you only for as long as necessary. How long we need to hold on to any information will depend on the type of information based on the school's Data Retention schedule.

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

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- other public organisations, where necessary, which may include police, doctors, school first aiders
- third party providers of information services (such as communication systems, school photographers and catering providers)

### **Why we regularly 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.

## **Information for our workforce**

When you work or volunteer at St Mary's Catholic Primary School, we will use information that we gather in relation to you for various purposes. Information that we hold in relation to individuals is known as their 'personal data'. This will include data that we obtain from individuals directly, and data about the individual that we obtain from other people and organisations. We might also need to continue to hold an individual's personal data for a period of time after they have left the school. Anything that we do with an individual's personal data is known as 'processing'.

Workforce data is essential for the schools' operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with GDPR, 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 in this.

### **The categories of school information that we process include:**

- personal information (such as name, employee or teacher number, national insurance number)
- characteristics information (such as gender, age, ethnic group, religious or similar beliefs)
- contract information (such as start date, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- performance information (such as appraisals and performance reviews, performance measures including performance management/improvement plans, disciplinary or grievance records).
- other information (such as pension arrangements), time and attendance records, information in applications made for other posts within the school, criminal records information (including the results of Disclosure and Barring Service (DBS) checks), details in references the school receives or provides to other organisations.
- photographic and video images

*This list is not exhaustive.*

### **Why we collect and use workforce information**

We will process the personal data of our workforce for the following reasons:

- Where we are required by law, including:
  - To comply with the law regarding data sharing;
  - To comply with specific employment law requirements, including our obligations as an employer under employment protection and health and safety legislation, and under statutory codes of practice such as those issued by ACAS; and
  - To comply with legal requirements in relation to equalities and non-discrimination.
- Where we are required by any contract with our workforce, such as employment contracts, including:
  - To make payments to our workforce, such as salary payments;
  - To deduct tax and National Insurance contributions;
  - To make a decision about recruitment; and

- To check individuals are legally entitled to work in the UK.
- Administering employment contracts;
- Conducting performance reviews;
- Making decisions about salary and compensation;
- Liaising with pension providers;
- Where the law otherwise allows us to process the personal data, or we are carrying out a task in the public interest, including:
  - To enable the development of a comprehensive picture of the workforce and how it is deployed;
  - To inform the development of recruitment and retention policies;
  - To safeguard our pupils and other individuals;
  - To ensure safe working practices; and
- In the interests of ensuring equal opportunities and treatment.
  - To conduct research about your opinion of current services, improve our services or of potential new services that may be offered;
- Where we otherwise have the consent of the individual;
  - To promote the work of the school
  - To document the work and history of the school.

The majority of processing of personal data for our workforce does not require consent, however, we will inform individuals if their consent is required and seek that consent before any processing takes place.

### **Collecting workforce information**

Workforce data is essential for the schools' operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with GDPR, 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 in this.

However, we may also obtain information from tax and regulatory authorities such as HMRC, previous employers, your trade union, the DBS, our insurance benefit administrators, consultants and other professionals we may engage, recruitment or vetting agencies, other members of staff, students or their parents, and publicly available resources including online sources. In addition, we may obtain information from automated monitoring of our websites and other technical systems such as our computer networks and systems, communications systems, remote access systems, email and instant messaging systems, intranet and internet facilities, telephones, voicemail and mobile phone records.

### **Storing workforce information**

We hold data securely for the set amount of time shown in our data retention schedule.

### **Who we share workforce information with**

We routinely share this information with:

- our local authority (where applicable)

- the Department for Education (DfE)
- professional advisors including legal, human resources, health and safety, and communications consultants;
- other public organisations, where necessary, which may include Police, school nurses, doctors and mental health workers and the NHS;
- to enable the moderation of pupil assessment outcomes, to support collaborative working through joint analysis, and ensure children continue to receive appropriate education provision;
- external moderators (teachers with recent relevant experience) of end of key stage assessments, to meet statutory requirements from the Standards & Testing Agency (STA);
- third-party providers of information services (such as payroll, online application and human resource systems); and
- contracted providers of services (such as school photographers and catering providers).

### **Why we share school workforce information**

We do not share information about our workforce members with anyone without consent unless the law and our policies allow us to do so.

### **Requesting access to your personal data**

Under Data Protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact:

**Data Protection Officer:** Roger Simmons (mobile 07704 838512)

The Information Commissioners

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

[rsimmonsltd@gmail.com](mailto:rsimmonsltd@gmail.com)

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;
- a right to seek redress, either through the ICO, or through the courts

If you have a concern about the way we are collecting or using your personal data, we ask 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/>

**Department for Education**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current government security policy framework.

For more information, please see 'How Government uses your data' section.

## **How Government uses your data**

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

## **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)**

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

## **Sharing by the Department**

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time,

DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

To contact DfE: <https://www.gov.uk/contact-dfe>

**Reviewed:** *September 2021*

**To be reviewed again:** *September 2022*

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