

Richard Avenue Primary School

Privacy Notice

(How we use pupil information)

Richard Avenue Primary School is the Data Controller for the use of personal data in this privacy notice

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, nationality, country of birth 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 doctors 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, post 16 courses enrolled for and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Pupil Premium information (pupil identified for monitoring)
- Out of School Clubs (such as registers, medical needs and dietary requirements)
- School trips (register of those included, medical needs and dietary requirements)
- 30-hour nursery childcare claims (Name and date of birth)

This list is not exhaustive, to access the current list of categories of information we process please see **current privacy notice**

Why we collect and use pupil information

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

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

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us by the Department for Education

The lawful basis on which we use this information

We need to collect and use pupil information in order to comply with the relevant legislation for providing education to a child, including the Education Act 2006, the Education and Inspections Act 2006, and the Children's Acts 1989 and 2004. Our lawful basis for processing is therefore as we have a statutory obligation as defined by Article 6(1)(c) of the General Data Protection Regulation (GDPR).

Some of the information we need to hold is classed as special category information – primarily ethnicity, gender and any health conditions. Our legal basis for processing this data is provided by Article 9(2)(b) of GDPR.

Collecting pupil information

We collect pupil information via

- **Contact admission form**
- CTF - Common transfer file from a previous school
- Medical information form
- Meetings with parents (information used to record SEN, medical needs (care plan), safeguarding, behavioural issues or attendance concerns)

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it 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 and we will tell you what you need to do if you do not want to share this information with us.

Storing pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please see our Data Protection Policy.

We hold your main education records securely until you change school. Your records will then be transferred to your new school, where they will be retained until you reach the age of 25, after which they are safely destroyed.

All information is held securely with physical, organisational and electronic access controls to safeguard the information both at rest and when in transit.

Further information on how Data is protected can be found in our Data Protection Policy. Information on our retention of Data can be found in our Retention Policy.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority, Sunderland City Council, and
- Together for Children, who deliver a range of educational services on behalf of Sunderland City Council
- the Department for Education (DfE)
- NHS – School Nurse

- CPOMS – Information sharing for child protection
- Juniper Education (School Assessment tracking provider)
- School COMMS (School texting/email service)
- ESS SIMS – School Management Information System

Why we regularly share pupil information

We do not share information about our pupils with anyone without consent unless the law and our policies require or allow us to do so. We will always seek your positive consent to share information if there is no legal basis to share.

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.

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:

Section 3 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.

Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the Schools Admission Code, including conducting Fair Access Panels.

Requesting access to your personal data

Under GDPR, 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 to request access to your child's educational record, please contact the School.

Depending on the lawful basis above, you may 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
- 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, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on **27th April 2023**.

Contact

If you would like to discuss anything in this privacy notice, please contact the school in the first instance.

The School's Data Protection officer can be contacted via any of the following methods:

Data.Protection@sunderland.gov.uk,

07769 672 633

or via Data Protection Officer, City Hall, Plater Way, Sunderland SR1 3AA

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 Key Stage Assessments 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>

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

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

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