



## Severne Primary School

### Privacy Notice

#### (How we use pupil information)

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

Severne Primary School holds the legal right to collect and use personal data relating to pupils and their families. We may also receive information regarding them from their previous school, Local Authority and/or the Department for Education.

##### The categories of pupil information that we collect, hold and share 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 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, any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Pastoral Information ( e.g. referrals to agencies who support children and families)
- Eligibility Checking Service – Free School Meal Eligibility

##### Why we collect and use this information

We use the pupil data:

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 for the Department for Education (DfE) data collections

## The lawful basis on which we use this information

Under the [UK General Data Protection Regulation \(UK GDPR\)](#), the lawful bases we rely on for processing pupil information are:

- Lawfulness of processing: public interest etc
- In Article 6(1) of the GDPR (lawfulness of processing), the reference in point (e) to processing of personal data that is necessary for the performance of a task carried out in the public interest or in the exercise of the controller's official authority includes processing of personal data that is necessary for—
  - (a) the administration of justice,
  - (b) the exercise of a function of either House of Parliament,
  - (c) the exercise of a function conferred on a person by an enactment or rule of law,
  - (d) the exercise of a function of the Crown, a Minister of the Crown or a government department, or
  - (e) an activity that supports or promotes democratic engagement.
- Special categories of personal data and criminal convictions etc data
- (1) Subsections (2) and (3) make provision about the processing of personal data described in Article 9(1) of the GDPR (prohibition on processing of special categories of personal data) in reliance on an exception in one of the following points of Article 9(2)—
  - (a) point (b) (employment, social security and social protection);
  - (b) point (g) (substantial public interest);
  - (c) point (h) (health and social care);
  - (d) point (i) (public health);
  - (e) point (j) (archiving, research and statistics).
- (2) The processing meets the requirement in point (b), (h), (i) or (j) of Article 9(2) of the GDPR for authorisation by, or a basis in, the law of the United Kingdom or a part of the United Kingdom only if it meets a condition in Part 1 of Schedule 1.
- (3) The processing meets the requirement in point (g) of Article 9(2) of the GDPR for a basis in the law of the United Kingdom or a part of the United Kingdom only if it meets a condition in Part 2 of Schedule 1.
- (4) Subsection (5) makes provision about the processing of personal data relating to criminal convictions and offences or related security measures that is not carried out under the control of official authority.
- (5) The processing meets the requirement in Article 10 of the GDPR for authorisation by the law of the United Kingdom or a part of the United Kingdom only if it meets a condition in Part 1, 2 or 3 of Schedule 1.
- (6) The Secretary of State may by regulations—
  - (a) amend Schedule 1—
    - (i) by adding or varying conditions or safeguards, and
    - (ii) by omitting conditions or safeguards added by regulations under this section, and
  - (b) consequentially amend this section.
- (7) Regulations under this section are subject to the affirmative resolution procedure. Section 537A of the Education Act 1996
- Regulation 5 of the Education (Information About Individual Pupils) (England) Regulations 2013

## Our basis for using special category data

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful

basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- we have obtained your explicit consent to use your information in a certain way;
- we need to use your information under employment, social security or social protection law;
- we need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations

where you're physically or legally incapable of giving consent;

- the information has already been made obviously public by you;
- we need to use it to make or defend against legal claims;
- we need to use it for reasons of substantial public interest as defined in legislation;
- we need to use it for health or social care purposes, and it's used by, or under the direction of, a professional

obliged to confidentiality under law;

- we need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to

confidentiality under law;

- we need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes,

and the use is in the public interest.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a

condition for processing as set out in data protection law. Conditions include:

- we have obtained your consent to use it in a specific way;
- we need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations

where you're physically or legally incapable of giving consent;

- the data concerned has already been made obviously public by you;
- we need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal

claims;

- we need to process it for reasons of substantial public interest as defined in legislation.

Further information can be found in the census guide documents on the following website <https://www.gov.uk/education/data-collection-and-censuses-for-schools>]

### **Collecting pupil information**

We collect pupil information via registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from previous school, medication forms, child protection plans.

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.

### **Storing pupil data**

Personal data relating to pupils at Severne Primary School and their families is stored in line with the school's Data Protection and Data Retention Policies.

The school does not store personal data indefinitely: data is only stored for as long as necessary to complete the task for which it was originally collected. Information on our data retention schedule and how we keep your data safe, please visit

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

We routinely share pupil information with:

- Schools that pupils attend after leaving us
- Our local authority
- The Department for Education (DfE)
- Schools / other education providers
- NHS
- Other local authorities
- Health and other professionals working with specific pupils

### **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.

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.

Cash collections on school site. G4S will be wearing body cameras when performing cash collections on school grounds. Parents please note that the footage captured is overwritten every few seconds, apart from in the event of the body camera being activated (in the event of an attack). In the event that a body camera is activated the footage can only be accessed by

authorised personnel at G4S as all footage is encrypted. Parental consent will not be required due to the legal basis of this activity.

### **Department for Education (DfE)**

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.

### **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, contact Mrs Laraine Dillon, Data Protection Officer at the school on 0121 706 2743 or [l.dillon@severne.bham.sch.uk](mailto:l.dillon@severne.bham.sch.uk)

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint 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 the Department for Education (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 09/10/2023.

### **Contact**

If you would like to discuss anything in this privacy notice, please contact: Laraine Dillon Data Protection Officer Severne Primary School [l.dillon@severne.bham.sch.uk](mailto:l.dillon@severne.bham.sch.uk)

## How Government uses your data

The pupil data that we lawfully share with the the Department for Education (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 (DfE) (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 (DfE) 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 for Education (DfE).

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-npd-privacy-notice/national-pupil-database-npd-privacy-notice>

## Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and 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 for Education's (DfE) 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 the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) 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 the Department for Education (DfE) holds about you**

Under the terms of the [Data Protection Act 2018](#), you are entitled to ask the Department for Education (DfE):

- 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 for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) 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 the Department for Education (DfE): <https://www.gov.uk/contact-dfe>