



## **PUPIL PRIVACY NOTICE**

**(How we use pupil information)**

# **St. Francis' Catholic Primary School**

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| <b>Written by:</b>    | Maria Wheeler  |
| <b>Approved by:</b>   | Governing Body |
| <b>Date of policy</b> | March 2021     |
| <b>Review date:</b>   | March 2023     |

## **Privacy Notice for pupils attending St Francis Catholic Primary School**

St Francis' Catholic Primary School collects a lot of data and information about our pupils in order to run effectively as a school. This privacy notice explains how and why we collect pupils' data, what we do with it and what rights parents and pupils have.

We, St Francis' Catholic Primary School, are a data controller for the purposes of the Data Protection Act. We collect personal information from you and may receive information about you from your previous school and the Learning Records Service. We are a voluntary aided, two-form entry primary school. This means we are maintained, receiving money from the Department for Education via Surrey County Council, but the Governing Body act on behalf of the Diocese and are responsible for capital expenditure.

### **The categories of pupil information that we collect, hold and share include:**

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information<sup>1</sup> (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Relevant medical information
- Relevant special education needs information
- Relevant behavioural information

We collect information about pupils when they join the school and update it during their time on the roll as and when new information is acquired.

### **Why do we collect and use this information?**

We use this data to support our statutory functions of running a school, in particular to:

- decide who to admit to the school
- maintain a waiting list
- support pupil learning;
- monitor and report on pupil progress;
- provide appropriate pastoral care
- assess the quality of our services
- comply with the law regarding data sharing
- ensure the protection and welfare of pupils and others in the school
- run the school in a safe and orderly fashion
- communicate with parents and carers.

### **The lawful bases on which we use this information**

We collect and use pupil information under the Education Act 1996, under the following lawful bases:

- a) where we have consent of the data subject (Article 6 [a])
- b) where it is necessary for compliance with legal obligation (Article 6 [c])
- c) where processing it is necessary to protect the vital interests of the data subject or another person (Article 6 [d])
- d) where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6 [e])

Where the personal data we collect about pupils is sensitive personal data, we will only process it where:

- a) we have explicit consent
- b) processing it is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and/or
- c) processing is necessary for reasons of substantial public interest, on the basis of Union or Member state law, which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Please see our Data Protection Policy for a definition of sensitive personal data.

## **Collecting pupil information**

Whilst the majority of pupil 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 pupil information to us or if you have a choice in this. Where appropriate, we will ask parents for consent to process personal data where there is no other lawful basis for processing it. For example, where we wish to use photos or images of pupils on our website to promote school activities. Parents may withdraw consent at any time.

## **Storing pupil data**

We hold pupil data for the length of their time at St Francis Primary School and in accordance with the retention guidelines as set out by the IRMS. A significant amount of personal data is stored electronically, for example, on our database, SIMS. Some information may also be stored in hard copy format.

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

We routinely share pupil information with:

- schools that the pupil attends after leaving us
- our local authority, Surrey County Council
- the Department for Education (DfE)
- the Diocese of Arundel and Brighton
- school governors / trustees
- examining boards

From time to time, we may also share pupil information with other third parties including the following:

- the Multi-Agency Safeguarding Hub (MASH)
- the Local Authority Designated Officer (LADO)
- the Police and law enforcement agencies;
- NHS health professionals including the school nurse, educational psychologists,
- Education Welfare Officers;
- Courts, if ordered to do so;
- the National College for Teaching and Learning;
- the Joint Council for Qualifications;
- Prevent teams in accordance with the Prevent Duty on schools;
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances;
- Diocesan Officers at the Diocese of Arundel and Brighton for the purposes of receiving educational support;
- the Diocesan Board of Education for the purposes of receiving educational support;
- our HR providers, for example, if we are seeking HR advice and a pupil is involved in an issue;
- our legal advisors;
- our insurance providers / the Risk Protection Arrangement;
- ICT providers for the school of Home/School curriculum software support, for example Education City

Some of the above organisations may also be Data Controllers in their own right in which case we will be jointly controllers of your personal data and may be jointly liable in the event of any data breaches. In the event that we share personal data about pupils with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

## **Why we 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.

## **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>

## **Clubs and other on-site activities**

St Francis Catholic Primary School maintains a list of which children attend clubs and other activities. However, those providers are responsible for managing any data they have about your child (such as contact details, medical questionnaires and achievements). The club leader acts as the data controller in this instance.

## **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. 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 DfE 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: and
- 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 and pupils have the right to request access to information about them that we hold (this is called a 'Subject Access Request'). Where a child does not have the maturity to make their own requests for personal data, parents may do so on their behalf in a primary school setting.

To make a request for your personal information, or be given access to your child's educational record, please contact [dpo@stfrancis.surrey.sch.uk](mailto:dpo@stfrancis.surrey.sch.uk) although any written request for personal data will be treated as a Subject Access Request.

The term “parent” is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the pupil, with whom the pupil lives or whether the pupil has contact with that parent), and also includes non-parents who have parental responsibility for the pupil, or with whom the pupil lives. It is therefore possible for a pupil to have several “parents” for the purposes of education law.

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; and
- 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/>

If you need more information about how the LA and DfE store and use your information, then please go to the following websites:

<http://www.surreycc.gov.uk/your-council/accessing-information-that-we-hold/data-protection>

<http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

If you cannot access these websites, please contact the LA or DfE as follows:

Corporate Information Governance Manager  
Legal & Democratic Services  
County Hall – Room 129  
Penrhyn Road  
Kingston upon Thames  
Surrey KT1 2DN

[www.surreycc.gov.uk](http://www.surreycc.gov.uk)

Email: [corpig@surreycc.gov.uk](mailto:corpig@surreycc.gov.uk)

Tel: 03456 009 009

Public Communications Unit  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT

[www.education.gov.uk](http://www.education.gov.uk)

Email: <http://www.education.gov.uk/help/contactus>

Tel: 0370 000 2288

Contact

If you would like to discuss anything in this privacy notice, please contact [dpo@stfrancis.surrey.sch.uk](mailto:dpo@stfrancis.surrey.sch.uk)