



## **Privacy Notice (How we use pupil information)**

Most data collected by the school is required under legislation for the Department for Education and meets the General Data Protection Regulation (GDPR) requirement of 'legal obligation' as the reason why the school collects this data. Most other data that the school needs to collect, falls under the lawful basis of 'public task'.

### **The categories of pupil information that we process include data collected for:**

- admission to school (such as name, date of birth)
- personal identifiers, contacts and pupil characteristics (such as names, contact details, address)
- identity management/authentication
- assessment and attainment (such as key stage 1, 2 and phonics tests results)
- attendance (sessions attended, absences, absence reasons, previous schools attended)
- behaviour information (such as exclusions and any relevant alternative provision put in place)
- exclusions
- catering and free and paid school meal management
- trips and activities
- medical information and administration (such as allergies, name of doctor, medical and dietary requirements, child health)
- safeguarding information (such as court orders and professional involvement)
- special educational needs
- income collection and payment services
- characteristics (such as ethnicity, language, and free school meal eligibility)

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

We need to collect and use pupil information so we can:

- a) support pupil learning
- b) monitor and report on pupil attainment progress
- c) provide appropriate pastoral care
- d) keep children safe (food allergies, or emergency contact details)
- e) safeguard and promote the welfare of pupils
- f) support behaviour management
- g) communicate with parents and carers
- h) provide IT and library services
- i) provide catering services
- j) meet the statutory duties placed upon us for DfE data collections
- k) provide income collection and payment services
- l) assess the quality of our services
- m) respond to complaints

### **Our legal basis for processing personal information**

Under the General Data Protection Regulations (GDPR), the school's legal grounds for processing pupil information (data) are outlined in Article 6 and Article 9 of the GDPR. The data that the school has a legal obligation to obtain (for instance to provide information to the DfE as part of the school census), can be processed lawfully without consent. Conditions for processing "special categories" of data (such as personal data revealing race, ethnicity, religion, beliefs) are outlined in Article 9 and can also be processed lawfully without consent.

The lawful reasons we rely on for processing pupil information are:

- a) processing is necessary for compliance with a legal obligation to which the data controller (the school) is subject;
- b) processing is necessary in order to protect the vital interests of the data subject (the pupil);
- c) processing 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 (the school);
- d) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the school (the data controller) or the pupil for social protection law (such as safeguarding individuals at risk, prevention of fraud).

We may need to collect, share or use 'special data' when we are performing our official duties and when we have your specific consent, or if it is necessary for social protection purposes (eg safeguarding), for instance health information or photographs. In these cases you do not have to give your consent and you will be free to withdraw your previous consent at any time. You will need to let the school know either in writing or by emailing to [admin@fremington-primary.devon.sch.uk](mailto:admin@fremington-primary.devon.sch.uk)

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

We collect pupil information via registration forms and Common Transfer File, a secure file transfer from a previous school.

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 General Data Protection legislation, we will inform you 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 hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule you can request a printed copy by emailing [admin@fremington-primary.devon.sch.uk](mailto:admin@fremington-primary.devon.sch.uk)

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

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. We are required to share information about our pupils with our local authority and the Department for Education under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the data collection and sharing requirements placed on us by the Department for Education go to:

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

We routinely share pupil information with:

- schools that pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- the Public Health Nursing Team (school nurse)
- the National Health Service / Public Health England
- examination boards / Standards & Testing Agency, moderators
- Special Education Needs & Disability (SEND) team
- library service providers (MLS)
- parent support advisers
- IT service providers to enable pupil access to learning services
- catering, trips and nursery fees payment service providers (ParentPay)

## Why we regularly share pupil information

We share pupil information in order to:

- support pupils and monitor their progress,
- provide pupils with pastoral care
- assess the quality of our services
- evaluate and improve our school's policies on children's social care

## The lawful basis on which we use this information

We will process this information where one or more of the following applies:

- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the school (the data controller)
- consent has been obtained from the data subject (the pupil or parent/guardian)
- processing is necessary for compliance with a legal obligation
- processing is necessary in order to protect the vital interests of the pupil or of another person

## 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:

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.

## 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 the school in writing to:

The Headteacher,  
Fremington Community Primary & Nursery School,  
Beechfield Road,  
Fremington,  
Barnstaple, EX31 3DD

or by email to: [admin@fremington-primary.devon.sch.uk](mailto:admin@fremington-primary.devon.sch.uk)

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

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/>

## Contact

If you would like to discuss anything in this privacy notice, please contact:

The Data Protection Officer  
Fremington Community Primary & Nursery School  
Beechfield Road  
Fremington  
Barnstaple, EX31 3DD

## 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

[www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information](http://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/dfе-external-data-shares>

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