Privacy Notice and Data Protection
Brandesburton Primary School – Privacy Notice

How we use pupil information
Under data protection law, individuals have a right to be informed about how we use any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data, and by having a Data Protection Policy.

This notice explains how we collect, store and use personal data about our pupils. We, Brandesburton Primary School are the data controller for the purposes of data protection law. Our school has an appointed Data Protection Officer, whose role is to oversee and monitor the school's data protection procedures, and to ensure that the school is complaint with data protection laws (Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

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 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 EYFS Profile, Key Stage 1, Key Stage 2 and Phonics results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- episodes of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection information and Child Protection Plan information)
- episodes of being looked after (such as important dates, information on placements)
- outcomes for looked after children (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending)
- adoptions (such as dates of key court orders and decisions)
- care leavers (such as their activity and what type of accommodation they have)
- financial data (such as bank account or credit card details, eligibility for free school meals or other financial assistance)
- grant information (such as eligibility for pupil premium service)
- biometrics information (used for cashless transactions)
- visual imagery (such as video and photography images used by the school to promote the school and any school activities e.g. school sports day)

This list is not exhaustive, a detailed list of categories of information we process is recorded on the schools Information Asset Register. Please contact the school office to view our asset register

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:

- to support pupil learning
- to support Children in Need and Looked After Children and monitor their progress
- 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 by the Department of Education

- to evaluate and improve our policies

Under data protection laws, the main lawful bases we rely on for processing pupil information are:

- the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- processing is necessary for compliance with a legal obligation to which the controller is subject; **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)
- processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- 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;
- processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child; **Legal basis of Legal obligation** (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

In addition the legal basis for processing any special categories information is:

- Processing is necessary for reasons of substantial public interest
- The data subject has given explicit consent to the processing of those personal data for one or more specified purposes

Collecting Pupil Information

We collect pupil information throughout a pupil's time at school, but in particular from the pupil registration from when they start at the school. We may also obtain information from third parties such as their previous school, by Common Transfer File.

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 data protection laws, 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 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 visit https://brandesburton.e-riding.sch.uk/policies/or contact the school office.

Who we share pupil information with

We routinely share pupil information with:

- schools
- local authorities
- the Department for Education (DfE)
- Your family and representatives
- Educators and examining bodies
- Ofsted

- Suppliers and service providers – so that they can provide the services we have contracted them for eg Teachers2Parents (messaging service), ParentPay
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies
- School Clubs

We also share information with suppliers and service providers – so that they can provide the services we have contracted them for eg school meals:

- Our MIS system Arbor, for pupil contacts, attendance and attainment, in line with DfE guidelines
- Our home/school messaging system Arbor, which allows us to send messages between school and home safely and securely
- Our filtering and monitoring system Sophos XGS Firewall, in line with Safeguarding guidelines
- Our cashless payments system Parent Pay
- WONDE, which allows us to share census and attendance data with the DfE, and allows other educational programs to access the MIS safely and securely
- Our pastoral and safeguarding program CPOMS, which allows us to support children's pastoral care and track their support
- Teaching and learning programs which support home/school learning such as:
    - TTRockStars
    - Purple Mash

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 pupil's data with the Department of Education (DfE) on a statutory basis. This data sharing underpins school funding, educational attainment policy and monitoring.

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 537A of the Education Act 1996 and Regulation 6 (d) of the Education (Individual Pupil Information) (Prescribed Persons) (England) Registrations 2009.

Section 47 of the Statistics and Registration Service Act 2007 and the Statistics and Registration Service Act 2007 (Disclosure of Pupil Information) (England) Regulations 2009.

Section 3 of the Education (Information About Individual Pupils) (England) Regulations 2013.

We share children in need and children looked after data with the Department on a statutory basis, under Section 83 of 1989 Children's Act, Section 7 of the Young People's Act 2008 and also 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
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's Data Protection Officer.

Depending on the lawful basis above, 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/

Withdrawal of consent and the right to lodge a complaint
Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the School's Data Protection Officer at brands@eastriding.gov.uk

Contact
If you would like to discuss anything in this privacy notice, please contact:
DPO on the school number 01964 542472 via the school office or brands@eastriding.gov.uk.
If you need more information about how our local authority uses your information, please visit: our local authority website at www.eastriding.gov.uk.

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.

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

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To be reviewed annually or as required.