



Burlington Junior School

*Achievement for All
Working in Harmony*

PRIVACY NOTICE

For

Pupils in Burlington Junior School

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 (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as attainment and progress)
- Medical information (such as reasons for absence due to illness, medical appointment letters and details of specific medical conditions and treatment needs where relevant)
- Special educational needs information (such as details of the special educational need, details of other professionals working with the child and notes from meetings regarding special educational needs)
- Behavioural information (such as details of inappropriate behaviour, number of exclusions and reasons for these)
- Child protection and safeguarding information (such as details of disclosures made, records of concerns, minutes of meetings, child protection plans and other relevant paperwork)
- CCTV footage from the school site

Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

The categories of parent/carer information that we collect, hold and share include:

- Personal information (such as name, address and telephone number)

Why we collect and use this information

We use the parent/carer data:

- to share information about the pupil
- to report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

The lawful basis on which we use this information

We collect and use information under Article 6 of the General Data Protection Regulation, which states that: *'Processing shall be lawful only if and to the extent that at least one of the following applies:*

*(a) the data subject has given **consent** to the processing of his or her personal data for one or more specific purposes;*

*(b) 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;*

*(c) processing is necessary for **compliance with a legal obligation** to which the controller is subject;*

*(d) processing is necessary in order to protect the **vital interests** of the data subject or of another natural person;*

*(e) 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;*

*(f) 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. Point (f) [...] shall not apply to processing carried out by public authorities in the performance of their tasks.*

We collect and use information under Article 9 of the General Data Protection Regulation, which states that:

*1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation **shall be prohibited**.*

2. Paragraph 1 shall not apply if one of the following applies:

*(a) the data subject has given **explicit consent** to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;*

(c) processing 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;

(e) processing relates to personal data which are manifestly made public by the data subject;

(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;

*g) 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;*

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.

Storing pupil data

We hold pupil data for a set period of time in accordance with our retention schedule. In most cases, pupil information will be transferred to the new educational setting when the pupil leaves Burlington Junior School. Some information, such as assessment data and attendance records, will be retained beyond this time.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority

- the Department for Education (DfE)

Where there is a need to do so, we may also share pupil information with:

- Healthcare providers
- Agencies working with the family with regards to child protection or safeguarding issues (the police, healthcare providers, agencies providing support for abuse, including domestic violence and other relevant agencies).

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>.

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.

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. 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 Department 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. To make a request for your personal information, or be given access to your child's educational record, contact Mrs M Dearing, School Business Manager, Burlington Junior School, Marton Road, Bridlington, YO16 7AQ.

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/>

Contact

If you would like to discuss anything in this privacy notice, please contact: Mrs K Hird, Data Protection Officer, Burlington Junior School, Marton Road, Bridlington, YO16 7AQ.

Privacy Notice implemented: May 2018
To be reviewed no later than: May 2019