

Earlsmead Primary School

GDPR Pupil and Parent Privacy Notice

Policy summary	The school's responsibilities relating to handling personal data.
Affects	Pupils, Parents and Carers
Drafted by	London Borough of Haringey
Status	Statutory
Approved by	Resources Committee
Last approved revision date	February 2022
Next review date	February 2023
Related policies, procedures, documents and forms	General Data Protection Regulation (GDPR) & Freedom of Information

Pupil information that we collect, hold and share

Earlsmead Primary School collects, holds and shares certain personal data relating to pupils and their families that you provide us. The School collects and uses pupil information under section 537A of the Education Act 1996, and section 83 of the Children Act 1989.

The School may also receive information regarding pupils and their families from previous schools, the Haringey Council or the Department of Education (DfE). This includes:

- Personal information – such as names, unique pupil numbers and addresses;
- 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 national curriculum assessment results;
- Relevant medical information;
- Information relating to Special Educational Needs and Disability (SEND);
- Behavioural information – such as temporary or permanent exclusions.

Why we collect and use this information

Earlsmead Primary School will collect and use personal data relating to pupils and their families to:

- 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;
- Safeguard pupils.

Data processed based on your Consent

Whilst the majority of the personal data you provide to the School is mandatory, some is provided on a voluntary basis. When collecting data, the School will inform you whether you are required to provide this data or if you have a choice in this.

If we need your consent, the School will provide you with clear and detailed information as to why the School is collecting the data and how the data will be used.

Where Earlsmead Primary School processes your data based on your consent, you have the right to withdraw this consent at any time.

If you have a concern about the way Earlsmead Primary School and/or the DfE is collecting or using your personal data, you can raise a concern with the Information Commissioner's Office (ICO).

The lawful basis on which Earlsmead Primary School uses this information

Earlsmead Primary School collects and uses pupil information under the submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under Section 537A of the Education Act 1996.

Putting the school census on a statutory basis complies with Article 6 and Article 9 of the GDPR which set the lawful basis for processing data and:

- means that schools do not need to obtain parental or pupil consent to the provision of information;
- ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils;
- helps to ensure that returns are completed by schools.

Why we share pupil information?

The School does not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

Earlsmead Primary School shares pupils' data with the DfE on a statutory basis such as the school census information and early years' census. This data sharing is used to assess school funding, educational attainment policy and monitoring.

The School is also required to share information about its pupils with Haringey Council as the local authority and the DfE under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

The National Pupil Database (NPD) is managed by the DfE and contains information about pupils in schools in England. The information 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.

Earlsmead Primary School is required by law to provide information about our pupils to the DfE as part of statutory data collections, for example, the school census; some of this information is then stored in the NPD.

The DfE may share information about Earlsmead Primary School pupils taken from the NDP with other organisations who promote the education or wellbeing 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 any data shared from the NDP is maintained.

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>.

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

Processing your data

In some cases, the School will contract with an external organisation to process your data. The same data protection rules will apply to any external organisation.

Who the School shares pupil information with / Will my information be shared?

The School routinely shares pupil information with:

- Schools that our pupils attend after leaving us;
- Haringey Council;
- The Department for Education (DfE);
- The NHS;
- Haringey Educational Partnership.

Unless the law requires the School to share your data, it will only do this with your consent.

How long is your data stored for?

Personal data relating to pupils at Earlsmead Primary School and their families is stored in line with the School's GDPR Data Protection Policy.

The School stores data only for as long as is necessary to complete the task for which it was originally collected.

The retention period of pupil data varies depending on the nature of the information. The following summarises some of the key data collated by Earlsmead Primary School will collate and retain pupil data. The School will apply best practice on data retention for example, the Information Management Toolkit for Schools when deciding how long to retain data.

Admission Registers	Date of last entry in the book (or file) + 6 years
Attendance registers	Date of entry + 3 years
Examination results / Statutory Assessments	Current year + 6 years
Pupil records (Includes EAL, Exclusions and Student Photos)	Until child is 25 years old

Safeguarding / Child Protection Data	DOB + 25 years
Special Educational Needs and Disability (SEND)	DOB + 25 years

What are your rights?

Parents and pupils have the following rights in relation to the processing of their personal data. You have the right to:

- Be informed about how Earlsmead Primary School uses your personal data;
- Request access to the personal data that Earlsmead Primary School holds;
- Request that your personal data is amended if it is inaccurate or incomplete;
- Request that your personal data is erased where there is no compelling reason for its continued processing;
- Request that the processing of your data is restricted;

Requesting access to your personal data

Under data protection legislation (the General Data Protection Regulations and Data Protection Act 2018), parents and pupils have the right to request access to information that Earlsmead Primary School holds about them.

To make a request for your personal information, or be given access to your child's educational record, contact Lyke Igbokwe on 020 8808 7915 or via email at office@earlsmead.co.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
- 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/>

Where can you find out more information and who to contact?

If you would like to find out more information about how Earlsmead Primary School collects, uses and stores your personal data, please read our GDPR Data Protection Policy.

If you would like to discuss anything in this privacy notice, lyke Igbokwe acts as a representative for Earlsmead Primary School with regard to its data controller responsibilities and is available on 020 8808 7915 or via email at office@earlsmead.co.uk).