# Logo Description automatically generatedWhitefield Primary School

# Privacy Notice (How we use pupil information)

## We, Whitefield Primary School are a Data Controller for the purposes of the 2018 Data General Data Protection Regulations (GDPR) and previously the Data Protection Act of 1998.

# Contact

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

Valerie Sephton 0151 263 5976

# Why we collect and use this information

Section 537A of the Education Act 1996 requires schools to collect and provide any such individual pupil information as may be prescribed. This includes sharing of a set of named pupil records through the submission of termly school census returns to the local authority and DfE.

Putting the school census on a statutory basis:

* 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

To find out more about the data collection requirements placed on us by the Department for Education go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We also collect and share individual pupil information with the local authority - including attendance and exclusions data- each week. This is supported under The Education (Pupil Registration) (England) Regulations 2006 Regulation 12; Children’s Act 2004 Section 10: co-operation to improve wellbeing; Children’s Act 2004 Section 11: arrangement to safeguard and promote welfare; Education and Inspections Act 2006 Section 38 and

Working together to safeguard children March 2013 Guidance.

This information is used by the local authority to fulfil a number of statutory duties:

* to ensure there are sufficient school places in the area
* promote high education standards
* ensure fair access to educational opportunity and promote the fulfilment of every child’s educational potential
* the need to meet the local authority’s safeguarding requirements
* to facilitate the ability of partner organisations to support the learning and welfare of children and young people through the exchange of data and the use of information not otherwise available to either organisation.

For more information on how the local authority uses information we share with them go to <http://liverpool.gov.uk/schools-and-learning/requests-for-pupil-records/>

We also 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
* engage with pupil’s families

# The lawful basis on which we use this information

We collect and use pupil information under Articles 6 and 9 of the GDPR (General Data Protection Regulations):

* Article 6.1c – processing is necessary for compliance with a legal obligation to which the controller is the subject;
* Article 6.1e – 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;
* Article 9.2g – processing is necessary for resons 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.

# 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 key stage test results and assessments)
* Special educational needs information
* Exclusions/ behavioural information
* Post 16 learning information
* School email addresses
* Parental information relating to FSM claims and payments made in school

# Who we share pupil information with

We routinely share pupil information with:

* schools that the pupil’s attend after leaving us
* our local authority – Liverpool City Council
* the Department for Education (DfE)
* School Nurse
* Educational Psychologist (with permission)
* NHS
* Safeguarding authorities (Careline/Social Care)
* Other systems which link to school MIS for internal purposes

# Why we share pupil information

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.

# 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 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 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 Val Sephton at Whitefield Primary School

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/>

# Storing pupil data

We hold pupil data in line with our Data Retention Policy

## NSPCC Information sharing guidelines

### Why information sharing is important

Sharing information about a child’s welfare helps professionals build a clearer picture of the child’s life and gain a better understanding of any risks the child is facing.

Information sharing helps to ensure that an individual receives the right services at the right time and prevents a need from becoming more acute and difficult to meet (DfE, 2018a).

General principles of best practice for information sharing are outlined below. Refer to your organisation’s procedures as well as local multi-agency arrangements to ensure you are following the information sharing processes that are most appropriate for your role.

[> Find out more about best practice for multi-agency working](https://learning.nspcc.org.uk/child-protection-system/multi-agency-working-child-protection/)

### When to share information

Timely information sharing is key to safeguarding and promoting the welfare of children.

People who work with children, whether in a paid or voluntary role, may need to share information about the children and families they are involved with for a number of reasons. These include:

* you are making a referral to arrange additional support for someone in the family
* someone from another agency has asked for information about a child or family
* someone in the family has asked to be referred for further help
* a statutory duty or court order requires information to be shared
* you are concerned that a child or a member of their family may be at risk of significant harm
* you think a serious crime may have been committed or is about to be committed which involves someone in the family.

You must always have a clear and legitimate purpose for sharing a child’s personal information. Keep a record of the reasons why you are sharing or requesting information about a child or their family.

You should also make sure you are not putting a child’s safety and welfare at risk by sharing information about them.

Some professionals have a legal duty to share information relating to safeguarding concerns. More information about this is available in the Mandatory reporting tab.

Always seek consent to share information about a child and their family. However if consent isn’t given, you can still share information with relevant professionals under certain circumstances, for example if you are protecting a child from significant harm. The [Data Protection Act 2018](http://www.legislation.gov.uk/ukpga/2018/12/introduction/enacted) and [General Data Protection Regulation (GDPR)](https://ec.europa.eu/commission/priorities/justice-and-fundamental-rights/data-protection/2018-reform-eu-data-protection-rules_en) do not affect this principle.

To learn more about getting permission to share information, see the Consent tab.

[> Find out more about GDPR and children](https://learning.nspcc.org.uk/child-protection-system/children-the-law#data-protection)

### What information to share

You need to decide what specific information is appropriate to share and who to share it with.

* Prioritise the safety and welfare of the child and anyone else who may be affected by the situation.
* Make sure you share the information quickly and securely. The sooner you report your concerns the better. This means the details will be fresh in your mind and action can be taken quickly.
* Identify how much information should be shared. This will depend on the reasons for sharing it.
* Use language that is clear and precise. Different agencies may use and understand terminology differently.
* Make sure the information you are sharing is accurate. Make it clear what information is factual and what is based on opinion (yours or other people’s).

### Facts and opinions

When working with children and families you will gather information from a variety of sources. How you interpret this information can depend on:

* any previous information received
* your knowledge of research and theory
* your own frame of reference.

When recording information you should be as factual as possible. If you need to give your own or somebody else’s opinion make sure it is clearly differentiated from fact. You should identify whose opinion is being given and record their exact words.