

# PRIVACY NOTICE

## General Data Protection Regulations 2018

We, Pirton School, are a data controller for the purposes of the General Data Protection Regulations (GDPR).

### Why do we collect and use pupil information?

Under Article 6 of the General Data Protection Regulation (GDPR), we collect and use information because we are legally required to collect some information about pupils and staff and we need to process this information due to our **legal obligation** (6,c) to provide an education to our pupils. This includes sharing information with exam boards, other schools and the Department for Education (DfE) where necessary. Our operation necessitates the use of **contracts** (6,b) including home-school contracts and contracts with staff and suppliers. In addition, due to our safeguarding responsibilities, we also collect information for the reason of **vital interest** (6,d) where the processing is necessary to protect someone's life, which includes CCTV footage if ever adopted. Occasionally we collect data as a requirement a **public task** (6,e).

Under Article 6 and Article 9 of GDPR, where the above lawful bases do not allow us to collect essential personal information, we will use **consent** (6,a).

We may receive information about them from their previous school, the Department for Education (DfE) and Hertfordshire County Council & Herts for Learning. We hold this personal data to:

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

### The categories of information that we collect, hold and share include:

Personal details (such as name, Unique Pupil Number and address), national curriculum assessment results, attendance information (such as sessions attended, number of absences and absence reasons), any exclusion information, where they go after they leave us, personal characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility), any special educational needs they may have as well as relevant medical information. CCTV may be used in the future, for safeguarding purposes. Sensitive personal information may also be processed for safeguarding purposes at any time.

### 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 Regulations, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this. We will use consent for any Biometric Data we may collect (for example finger print patterns for payment systems).

### Storing data

An annual sweep of the school network will be used to ensure that data is removed from general access where appropriate.

Data is backed up onsite daily. Data held in financial software (excludes pupil data) is held remotely in 'the cloud' with GDPR compliant companies. We maintain a supplier compliance log to ensure that our suppliers are compliant and effectively safeguard your data.

*Please refer to the school eSafety Policy regarding the creation and use of images/sound and video.*

### **Data Retention**

We hold pupil data until they reach 25 years of age for pupils with SEN (data will be securely deleted in the academic year of their 25<sup>th</sup> birthday) or for up to two years after they have left the school in all other circumstances, where educational records and/or child protection records have been passed to an alternative provision (or to HCC or another county or country).

### **Who do we share information with?**

We will not give information about you or your child to anyone without your consent unless the law and our policies allow us to.

Where our school is involved in collaborative delivery with other schools and learning providers, pupil information may also be shared to aid the preparation of learning plans and the use of data to achieve the objectives identified above or with schools that the pupil attends after leaving us. We need to share information, on occasion with (but not limited to) Virtual Schools, Education Psychologist, transfer schools, Social Services Assessment Team, Children's Services, school governors/trustees, the Diocese, local authority support services including the police and courts as instructed, and other health related assessment teams including disability allowance. We are required, by law, to share some information with the Department for Education (DfE). This information will, in turn, then be made available for the use by the Local Authority. Additionally, the curriculum may require the use of third party web-based learning platforms, if GDPR compliant.

### **Why we share information**

We are required to share information about our pupils with the (DfE) under regulation 4 and 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

We share information as an ongoing school management requirement, which would include non-standard operational activity such as promoting the school and complaints/legal proceedings as required.

### **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>.

If you need more information about how our local authority and/or DfE collect and use your information, please visit:

- our local authority at <http://www.hertsdirect.org/services/edlearn/privsch/> or
- the DfE website at <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

## **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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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 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 office or email the Data Protection Officer: [dpo@Pirton.herts.sch.uk](mailto:dpo@Pirton.herts.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
- claim compensation for damages caused by a breach of the Data Protection regulations
- withdraw any consent that you have provided

### **Cookies**

Our website uses Cookies to track visits to our site but we do not use it to identify you or for marketing purposes. You do not have to use our website as the information can be provided to you by the school office at your request.

### **Concerns**

If you have a concern about the way we are collecting or using your personal data, you can raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>, on 0303 123 1113 or via email by visiting <https://ico.org.uk/global/contact-us/email/>

### **Contact**

If a parent wishes to access their personal data, please contact the relevant organisation:

- Pirton School, High Street, Pirton, Hitchin, Hertfordshire, SG5 3PS.
- Data Protection Officer: dpo@pirton.herts.sch.uk
- LA's Data Protection Office: Information Governance Unit, Room C1, County Hall, Pegs Lane, Hertford, SG13 8DQ, email: dataprotection@hertscc.gov.uk
- QCA's Data Protection Officer: 83 Piccadilly, London, W1J 8QA
- DfE's Data Protection Office Caxton House, Tothill St, London, SW1H 9NA
- Ofsted Data Protection Office: Alexandra House, 33 Kingsway, London, WC2B 6SE

### **Policy Review – GDPR**

This policy will be reviewed in full by the Governing Body every two years.

The policy was last reviewed and agreed by the Governing Body on 14 November 2018

  
Signature  
Headteacher

Date 14/11/19

  
Signature  
Chair of Governors

Date 14/11/19