



ST. DUNSTAN'S



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Pupil Privacy Notice (How we use pupil information)

Introduction

This notice is to help you understand how and why we collect information about our pupils (their personal data) and what we do with that information. It also explains the decisions that you can make about your own child's information.

When a child joins St. Dunstan's School we use personal information that we gather in relation to the child for various purposes. This will include data that we obtain from the child directly and data about the child which we obtain from other people and organisations. We might also need to continue to hold a child's personal data for a period of time after they have left the school. Anything that we do with your personal data is known as 'processing'.

What is personal information?

Personal data is information that identifies your child as an individual and relates to them. This includes contact details for their next of kin and financial information. We may also hold information such as religion or ethnic group. Photos and video recordings of your child are also personal information. The categories of pupil information that we collect, process, hold, and share include:

- Personal information (such as name, unique pupil number, contact details, date of birth 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)
- Educational information (such as details of any previous schools attended and future schools)
- Assessment data (on-going teacher assessments, key stage 1 phonics results and end of key stage assessments)
- Medical information (such as any medical issue, information relating to medication and care plans, dietary information and doctor's information)
- Safeguarding information (such as court orders and professional involvement)
- Special Educational Needs information (such as outside agency reports, SEND Support Plans, diagnostic assessments and including the needs and ranking)

- Behavioural Information (such as data relating to bullying, racist incidents, behaviour incidents in line with behaviour policy and exclusions)
- Religious beliefs
- Photographs and videos used for Twitter, the website, the school newsletter, display, and pupil work

This list is not exhaustive

Why we collect and use this information

The personal data collected is essential, in order for the school to fulfil their official functions and meet legal requirements

We collect and use the pupil information, for the following purposes:

- to support pupil learning
- to monitor and report on pupil 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 for Department of Education (DfE) and Catholic Education Services data collections to comply with the law regarding data sharing
- to make sure everyone is treated fairly and equally
- to celebrate pupils' achievements
- to identity authentication information (birth certificate)
- for trips and activities
- for catering and free school meal management

The lawful basis on which we use this information

Legitimate interests

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing pupil information are in accordance with the 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); Vital interests (to keep children safe – food allergies, or medical conditions) and in accordance with the legal basis of Legal obligations; 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 2013
 - For any special category data e.g. religious beliefs Article 9 of the UK GDPR.
 - Article 6 of the UK GDPR

The processing of your child's personal information is necessary for legitimate interests, except where the processing is unfair to your child. St Dunstan's relies on legitimate interests for most of the ways in which it uses the information.

Specifically, the School has a legitimate interest in:

- Providing educational services to your child;
- Safeguarding and promoting the welfare of your child (and other children);
- Promoting the objects and interests of the School. This includes fundraising. It also includes ensuring that we are able to enforce our rights against you.
- Facilitating the efficient operation of the School; and
- Ensuring that all relevant legal obligations of the School are complied with.

If you object to us using your information where we are relying on our legitimate interests as explained above, please speak to the school's Data Protection Officer via the school office.

Public Interest

We will need to use your information in order to safely and effectively run the school and perform tasks required by the School as part of their statutory function; For example, we need your name and contact details so that we can update you on your child's progress or in order that we can contact you if there is a concern.

Legal obligation

The School may need to use your information in order to comply with a legal obligation, for example to report a safeguarding concern to Children's Services. We are required by law to complete DfE data returns, such as school census and certain responsibilities to return data to the local authority. We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Substantial Public Interest

Processing of special category data within our legal obligations is necessary for reasons **of substantial public interest**. This is to comply with GDPR Articles 6 and 9 and the Data Protection Bill.

Public interest

The School considers that it is acting in the public interest when providing education.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories are as follows: personal information revealing racial or ethnic origin, religious or cultural, and health information.

Vital interests

To protect the vital interests of any person (necessary to protect someone's life) where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

Legal claims

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.

Medical purposes

This includes medical treatment and the management of healthcare services.

We may ask for your consent to use your information in certain ways. If we ask for your consent to use your personal information you can take back or amend this consent at any time. Any use of your information before you withdraw your consent remains valid. Please speak to the Headteacher if you would like to withdraw any consent given.

Transferring Data Out of the United Kingdom

Whenever we transfer personal information to countries outside of the United Kingdom, we ensure that the information is transferred in accordance with our Privacy Notice and as permitted by the applicable laws on data protection.

How we collect pupil information

Pupil data is essential for the school's operational use. 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 data protection legislation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

We collect pupil information in the following ways;

- from the (parents/guardians/carers);
- our staff
- previous schools or education providers; and
- people from other organisations, including doctors or the local authority for example.

Storing pupil data

We keep your information for as long as we need to in order to educate and look after your child. We **may** keep some information after your child has left the School, for example, so that we can find out what happened if you make a complaint.

We will hold information relating to the child only for as long as necessary. How long we need to hold on to any information will depend on the type of information based on the school's Data Retention Schedule. **This schedule is based on regulations set out in IRMS.** For more information on our Data Retention schedule and how we keep your data safe, please visit the school website Data protection page at http://www.stdunstans.surrey.sch.uk/Data_Protection.html .

In exceptional circumstances we may keep your information for a longer time than usual but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

We can keep information about you for a very long time or even indefinitely if we need this for historical, research or statistical purposes. For example, if we consider the information might be useful if someone wanted to write a book about the School.

Who we share pupil information with

We routinely share pupil information with:

- Schools that the pupils attend after leaving St. Dunstan's
- School Nurse
- NHS England
- Surrey Local Authority (LA)
- The Department for Education (DfE)
- Other public organisations, where necessary, which may include police, school first aiders, doctors and mental health workers
- Other third party providers of information services (such as communication systems, school photographers, catering providers and online teaching and learning sites)

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 4 of The Education (Information About Individual Pupils) (England) Regulations 2013.

The lawful basis on which we use this information

We will only process personal data where we have a lawful basis for doing so under Article 6 of the General Data Protection Regulation (GDPR) such as:

- We have a legal obligation to do so
- We need it to perform an official task in the public interest
- We have gained parental/carer/guardian consent

When processing special category data under Article 9 of the GDPR (such as racial or ethnic origin), additionally we will ensure that:

- Explicit consent has been given or
- The processing is necessary to protect the Vital interests of the pupil

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which permit our use of this data.

Other third party online teaching and learning sites used at St. Dunstan's

At St. Dunstan's School we use elements of individual pupil information in these third party online teaching and learning sites in order to:

- monitor and track attainment of individual pupils, classes and groups
- analyse pupil progress
- support pupil learning
- report on progress
- assess the quality of our services
- ensure that we continue to provide and maintain appropriate teaching and learning standards
- provide appropriate teaching and learning

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 regulation 5 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.

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, 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.

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.

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.

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

These third parties include:

- 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

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 the school data protection officer.

You also have the right to:

- The right to be informed about what data is being collected, how it's being used, how long it will be kept and whether it will be shared with any third parties.
- rectification if the information held is inaccurate or incomplete
- the right to erasure is also known as 'the right to be forgotten'.
- 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 including profiling
- 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, either through The Information Commissioner's Office (ICO) or through the courts
- rights related to automated decision making including profiling

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:

The school data protection officer via the school office.