

Huish Episcopi Primary School

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Privacy notice

(how we use personal data)

This school needs to use pupil data in order to be able to keep children safe and deliver the best education possible. Only essential data is held. The law is always followed when data is used, stored, and shared.

Pupils, parents and carers have a legal right to be informed about how the school uses any personal information. This privacy notice explains how the school collects, stores, and uses personal data about you.

Huish Episcopi Primary School is the 'data controller' for the purposes of data protection law. The Data Protection Officer (DPO) is Amy Brittan (see 'Contact' below).

The personal data we hold about you

The school holds some personal information about children to make sure the school can help them learn and be looked after.

For the same reasons, the school gets information about children from some other places too – like other schools, the local council and the government.

This information includes but is not limited to:

- contact details
- assessments of work
- attendance records
- characteristics, such as ethnic background or any special educational needs
- medical conditions
- details of any behaviour issues or exclusions
- photographs and moving images

The personal data we hold about your parents

The school holds some personal information about parents to make sure it can help pupils.

- contact details
- the school may also hold some information about parents if there is a safeguarding folder

Why we use this data

The school uses this data to help run the school, including to:

- get in touch with children and parents when we need to
- check how pupils are doing in all subjects and work out whether pupils need any extra help
- provide remote learning opportunities during periods of lockdown
- track how well the school is performing
- look after pupil wellbeing

Our legal basis for using this data

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases the school relies on for processing your information are:

- the law (*Article 6(1)(c) of UK GDPR*)
- the school needs to use it to carry out a task in the public interest (in order to provide pupils with an education) (*Article 6(1)(e) of UK GDPR*)

Sometimes, the school may also use personal information where:

- pupils or their parents/carers have given us permission to use it in a certain way (*Article 6(1)(a) of UK GDPR*)
- the school needs to protect pupil interests (or someone else's interest) e.g., in a life-or-death situation (*Article 6(1)(d) of UK GDPR*)

The school may also collect and use information about health or other protected characteristics such as religion or ethnicity. These are special categories of personal information which will only be used when it is necessary for public health, e.g., protecting against serious threats to health. The legal basis here is *Article 9(2)(i) of UK GDPR*.

Public Health England also has special permission from the Secretary of State for Health and Social Care to use personally identifiable information without permission where this is in the public interest. This is known as 'Section 251' approval and includes the use of the information collected by NHS Test and Trace to help protect the public from coronavirus. The part of the law that applies here is Section 251 of the National Health Service Act 2006 and the associated Health Service (Control of Patient Information) Regulations 2002.

Where the school has permission to use data, pupils or parents/carers may withdraw this at any time. The school will make this clear when it asks for permission and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

Collecting this information

While in most cases the pupil, or parents/carers, must provide the personal information we need to collect, there are some occasions when pupils can choose whether or not to provide the data. The school will always tell the pupil if it's optional. If this data must be provided, the school will explain what might happen if it isn't supplied.

Data sharing

The school does not share personal information about pupils with anyone outside the school or trust without permission from parents/carers, unless the law and school policies allows the school to do so.

Where it is legally required, or necessary for another reason allowed under data protection law, the school may share personal information about pupils with:

Who we share with	Why we share
Local Authority	To meet legal duties to share certain information with it, such as concerns about pupils' safety and exclusions
The Department for Education	The school has to do this by law. This data sharing underpins school funding, educational policy and funding
Family and representatives	To ensure that they know how pupils are doing and to protect your welfare
Other schools after you leave this school	The school will transfer the pupil record, which consists of basic information, assessment data, any educational support, and any safeguarding records. The school may share some information in advance if it will enable your next school to provide effective and timely support
Police forces, courts, tribunals and security services	As required to by law
Educators and examining bodies	To ensure that pupils are entered for exams and results are recorded
Health and social welfare organisations	Such as the school nurse and the Education Welfare Officer to help look after health and wellbeing
Payment service providers	So that parents and carers can pay for meals, trips resources and activities.
Providers of electronic learning resources	To allow pupils to use their resources in class and at home
School photographer	To enable parents and carers to purchase photos
IT service providers	To enable IT access for pupils during computing sessions or home learning
Management information system	Used for registers, contact information storage, medical information storage, assessment storage etc

International transfers of personal data

The school has audited where it stores all the personal data processed and by third party services. If a third-party service stores data in the EU or US, the school has ensured that safeguards such as standard contractual clauses are in place to allow the safe flow of data to and from the School.

How the school stores this data

The school will keep personal information about pupils while they are a pupil at a school in this Trust. The school may also keep it after the pupil has left the Trust, where it is required to by law. If pupils leave the school mid-year, or move to a new school outside of the Trust, the school will transfer the pupil record to the next setting.

The record retention schedule/records management policy is based on the [Information and Records Management Society's toolkit for schools](#) and sets out how long the school keeps information about pupils.

National Pupil Database

The school is required to provide information about pupils to the Department for Education (a government department) as part of data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#), (NPD) which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

How to access personal information we hold about you

Pupils, parents or carers can find out if the school holds any personal information about them, and how it is used, by making a 'subject access request', Parents may make this request on a pupil's behalf. If the school thinks a pupil is able to understand their rights and what they mean, the school may ask the pupil for permission before providing information to parents. If the school holds information about a pupil, it will:

- give a description of it
- say why it is being held, and how long it will be kept for
- explain where it was sourced from, if not from the pupil or parents
- say who it has been, or will be, shared with

Other data rights

The pupil has other rights over how personal data is used and kept safe, including the right to:

- say they don't want it to be used if this would cause, or is causing, harm or distress
- stop it being used to send marketing materials
- say you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- have it corrected, deleted or destroyed if it is wrong, or restrict our use of it
- claim compensation if the data protection rules are broken and this harms them in some way
- let them know if it is used to make any automated decisions (decisions being taken by a computer or machine, rather than by a person)

Pupils may also ask us to send your personal information to another organisation electronically in certain circumstances. If you want to make a request, please contact our Data Protection Officer (see 'Contact').

How Government uses your data

The pupil data that we lawfully share with the Department for Education (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, school GCSE results or 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 (DfE) (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 (DfE) 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 for Education (DfE).

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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and 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

For more information about the Department for Education's (DfE) NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfe-external-data-shares>

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the [Data Protection Act 2018](#), you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>

Complaints

The school takes any complaints about data collection and use very seriously, so please let the school know if something is wrong. Complaints can be made at any time by contacting our Data Protection Officer or to the Information Commissioner's Office in one of the following ways:

- report a concern online at <https://ico.org.uk/concerns/>
- call 0303 123 1113
- write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact the Data Protection Officer: dposchools@somerset.gov.uk