



# Acton Gardens Primary School

Aspire • Grow • Persevere • Succeed

## Student Privacy Notice

Date of last review:

Date of next review:

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## **Student Privacy Notice - how we use student information**

### **1. The main categories of student information that we collect, hold and share includes:**

- Personal information (such as name, unique student 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 student attainment and progress)
- Medical information (such as Health Care Plans)
- Behavioural information (such as positive and negative incidents, exclusions)
- Special Educational Needs information (such as additional support from outside agencies)
- CCTV images captured in school
- Safeguarding information

### **2. Why we collect and use this student data in order to:**

- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

### **3. The lawful basis on which we use this information**

- a. We collect and use student information under Article 6 and Article 9 of the GDPR 2018
- b. We only collect and use students' personal data when the law allows us to.
- c. Most commonly, we process it where:
  - i. we need to comply with a legal obligation
  - ii. we need it to perform an official task in the public interest
  - iii. less commonly we may also process students' personal data in situations where:
    1. we have obtained consent to use it in a certain way
    2. we need to protect the individual's vital interests (or someone else's interests)
    3. where we have obtained consent to use students' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn
    4. some of the reasons listed above for collecting and using students' personal data overlap, and there may be several grounds which justify our use of this data

### **4. Collecting student information**

- a. Whilst the majority of student information provided to us is mandatory, some of it is provided to us on a voluntary basis
- b. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain student information to us or if you have a choice in this

## **5. Storing and sharing student data**

- a. We hold student data for 6 years
- b. We routinely share student information with:
  - i. schools that the student's attend after leaving us
  - ii. a local authority
  - iii. the Department for Education (DfE)
  - iv. Special Educational Needs agencies such as speech and language therapists,

Educational psychologists

- v. the school nurse
- vi. social services

## **6. Why we share student information**

- a. We do not share information about our students with anyone without consent unless the law and our policies allow us to do so
- b. We share students' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring
- c. We are required to share information about our students with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Students) (England) Regulations 2013

## **7. Data collection requirements**

- a. 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>

## **8. The National Pupil Database (NPD)**

- a. The NPD is owned and managed by the Department for Education and contains information about students 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.
- b. We are required by law, to provide information about our students 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 Students) (England) Regulations 2013
- c. To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-student-database-user-guide-and-supporting-information>.
- d. The department may share information about our students from the NPD with third parties who promote the education or well-being of children in England by:
  - i. conducting research or analysis
  - ii. producing statistics
  - iii. providing information, advice or guidance
- e. 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:

- i. who is requesting the data
  - ii. the purpose for which it is required
  - iii. the level and sensitivity of data requested; and
  - iv. the arrangements in place to store and handle the data
- f. To be granted access to student 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
- g. 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>
- h. For information about which organisations the department has provided student information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-student-database-requests-received>
- i. To contact DfE: <https://www.gov.uk/contact-dfe>

## **9. Requesting access to your personal data**

- a. Under data protection legislation, parents and students 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:
- b. 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/>