

# PRIVACY NOTICE FOR PARENTS/CARERS LAVINGTON PARK FEDERATION Duncton CE Junior School and Graffham CE Infant School



## Information about Pupils in Schools and Early Years Settings

### The EU General Data Protection Regulation (GDPR)

On the 25th May 2018 the General Data Protection Regulation (GDPR) came into force and the existing Data Protection Act (DPA) was updated by a new Act giving effect to its provisions.

### Data Controller

Lavington Park Federation complies with the GDPR and the two schools are registered as a 'Data Controller' with the Information Commissioner's Office.

Graffham CE infant School : Registration Number Z3663770

Duncton CE Junior School : Registration Number Z6952471

The Data Protection Officer (DPO) for the Federation is *to be confirmed*

We ensure that your and your child's personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

### The Legal Basis for Processing Personal Data

The main reason that the Federation processes personal data is because it is necessary in order to comply with the schools' legal obligations, and to enable it to perform tasks carried out in the public interest,

The school may also process personal data if at least one of the following reasons applies:

- to protect the vital interests of an individual
- there is explicit consent.
- to comply with the schools' legal obligations in the field of employment and social security and social protection law
- for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
- for reasons of public interest, in the area of public health
- for reasons of substantial public interest, based on law, which is proportionate in the circumstances and which provides measures to safeguard the fundamental rights and the interests of the data subject.

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

- personal information - such as pupil name, date of birth, unique pupil number, address, contact details (including telephone numbers and email addresses), parents'/carers' details
- characteristics - such as ethnicity, language, nationality, country of birth, religion and free school meal eligibility
- any special educational needs or disabilities, and relevant medical information
- EHCPs (Education and Health Care Plans) and IHCPs (Individual Health Care Plans)
- attendance information - such as sessions attended, number of absences and absence reasons
- behavioural information and details of any exclusions
- safeguarding information
- national curriculum assessment results and annual progress reports
- where pupils go after they leave us.

### How we use information

We collect and hold personal information relating to our pupils and those involved in their care; we may also receive information from previous schools, the local authority(s) and/or the Department for Education (DfE).

We use this personal data to:

- support our pupils' learning
- support our pupils' welfare
- monitor and report on their progress
- monitor and report on attendance at school
- provide appropriate pastoral care
- assess the quality of our services
- process any complaints
- protect vulnerable individuals
- assist in the prevention and detection of crime.

### **Who we share data with**

We may pass data to:

- the local authority
- schools that a pupil attends after leaving this school
- the Department for Education (DfE)
- our regulator - ie Ofsted
- the School Nurse and local NHS team
- MASH (the Multi Agency Safeguarding Hub, LADO (the local Authority Designated Officer) and/or NSPCC, for safeguarding purposes
- third-party organisations, as allowed by law
- agencies that provide services to us or on our behalf, such as
  - after-school club providers
  - Chartwells (our lunchtime meal provider)
  - Eduspot (Teachers2Parents communication system)
  - 2Simple (providers of software we use to capture observations and assessments within Early Years)
  - therapists or other professionals involved in the care / treatment of a child with particular needs
- agencies with whom we have a duty to co-operate.

Further information is given below.

#### **Who we share data with and why**

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

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)**

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 data is maintained, and there are stringent controls in place regarding access and use of data. Decisions on whether the 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 data, security arrangements and retention and use of 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>

#### **Clinical Commissioning Groups (CCGs)**

We are required, by law, to pass certain information about our pupils to CCGs.

CCGs use information about pupils for research and statistical purposes, to develop, monitor and evaluate the performance of local health services. These statistics will not identify individual pupils. It is necessary for certain health information about children (for example, such as their height and weight) to be retained for a certain period of time (designated by the Department of Health) and requires these CCGs to maintain children's names and addresses for this purpose. CCGs may also provide individual schools and Local Authorities (LAs) with aggregated health information which will not identify individual children.

#### **Local Authority - education and training**

We are required, by law, to pass certain information about our pupils to local authorities.

The LA holds information about young people living in its area, including information about their education and training history. This is to support the provision of their education up to the age of 20 (and beyond this age for those with a special education need or disability). Education institutions and other public bodies (including the Department for Education, police, probation and health services) may pass information to the LA to help them to do this.

The LA shares some of the information it collects with the Department for Education (DfE) to enable them to produce statistics, assess performance, determine the destinations of young people after they have left school or college, and evaluate Government funded programmes.

The LA may also share information with post-16 education and training providers to secure appropriate support for them. They may also share data with education establishments which shows what their pupils go on to do after the age of 16.

If you want to see a copy of information about you that the LA holds, please contact the West Sussex County Council Data Protection Officer: [FOI@westsussex.gov.uk](mailto:FOI@westsussex.gov.uk)

#### **Local Authority - social services**

In order to comply with our statutory safeguarding duties we are required, by law, to pass certain information about our pupils to local authorities. Information will only be shared where it is fair and lawful to do so.

If you want to see a copy of information about you that the LA holds, please contact the West Sussex County Council Data Protection Officer: [FOI@westsussex.gov.uk](mailto:FOI@westsussex.gov.uk)

#### **Police, Fire and Rescue Service, Ambulance Service and other emergency or enforcement agencies**

In order to comply with our duty of care to pupils, our statutory safeguarding duties and our obligations in respect of the prevention and detection of crime, we may also share personal data with other statutory and partnership agencies.

## **Retention Periods**

Personal data will not be retained by Lavington Park Federation for longer than necessary in relation to the purpose for which it was collected.

Information will be held in accordance with the Information and Records Management Society Tool Kit for Schools. <https://irms.site-ym.com/page/SchoolsToolkit>

## **Photographs**

The School may take photographs or video recordings of pupils for official use, monitoring and for educational purposes. You will be made aware that this is happening and the context in which the photograph will be used.

Photographs may also be taken of those attending an event which may appear in the newspaper. You will be made aware that this is happening and the context in which the photograph will be used.

Photographic / video images of children are never used in any way outside of the schools without express parental permission.

## **Rights**

You have the right to:

1. be informed of data processing (which is covered by this Privacy Notice)
2. access information (also known as a Subject Access Request)
3. have inaccuracies corrected
4. have information erased
5. restrict processing
6. data portability (this is unlikely to be relevant to schools)
7. intervene, in respect of automated decision making (rarely operated in schools)
8. withdraw consent (see below)
9. complain to the Information Commissioner's Office (see below).

To exercise any of these rights please contact the Federation's Data Protection Officer.

## **Withdrawal of Consent**

The lawful basis upon which the Federation processes personal data is that it is necessary in order to comply with our schools' legal obligations, and to enable it to perform tasks carried out in the public interest.

Where the Federation processes personal data solely on the basis that you have consented to the processing, you will have the right to withdraw that consent.

## **Complaints to ICO**

If you have any concerns about our data processing, please raise this is the first instance with the Federation's Data Protection Officer.

If you are not content with the outcome of an internal review, you may then apply directly to the Information Commissioner for a ruling. Generally, the ICO cannot make a decision unless you have exhausted our internal review procedure. The Information Commissioner can be contacted at:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF

Alternatively, you can report a concern online at <https://ico.org/uk/concerns/> or telephone 0303 123 1113.

### **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Federation's data protection officer.

### Lavington Park Federation privacy notice first published 15/05/2018

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