**Privacy Notice**

**Information about Pupils in Schools, Alternative Provision,**

**Pupil Referral Units and Children in Early Years Settings**

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

On the 25th May 2018 the General Data Protection Regulation (GDPR) will be applicable and the current Data Protection Act (DPA) will be updated by a new Act giving effect to its provisions. Before that time the DPA will continue to apply.

**Data Controller**

LYNDHURST INFANT SCHOOL complies with the GDPR and is registered as a ‘Data Controller’ with the Information Commissioner’s Office (Reg. No. Z6490696).

The Data Protection Officer (DPO) for the school is Mrs N Courtnadge, who can be contacted via email on bursar@lyndhurst-school.co.uk

We ensure that your 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 school 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 applies:

* in order to protect the vital interests of an individual
* there is explicit consent.
* to comply with the school’s 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;

Data collection is a requirement of the school under the Education Act 1996 – this information can be found in the census guide documents on the following website[**https://www.gov.uk/education/data-collection-and-censuses-for-schools**](https://www.gov.uk/education/data-collection-and-censuses-for-schools)**]**

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

* Personal information (such as name, unique pupil number and address and contact details, carers details)
* Characteristics (such as ethnicity, language, nationality, country of birth, religion and free school meal eligibility)
* Attendance information (such as sessions attended, number of absences and absence reasons, behavioural information, details of any exclusion information,)
* national curriculum assessment results and examination results
* where pupils go after they leave us
* any special educational needs or disabilities as well as relevant medical information.

We may also hold data about pupils that has been supplied by other organisations, including other schools, the local authority and the Department for Education.

**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
* provide appropriate pastoral care;
* assess the quality of our services;
* process any complaints;
* protecting vulnerable individuals;
* the prevention and detection of crime;
* comply with our legal obligations

**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)
* NHS & associated agencies, eg. school nurse
* third-party organisations, as allowed by law
* agencies that provide services on our behalf
* agencies with whom we have a duty to co-operate
* Ofsted
* External Auditors
* Police
* The pupil’s family and/or representatives
* companies that provide a service for us (please refer to Appendix A)

**For further information about who we share with and why please see APPENDIX A.**

**Retention Periods**

Personal data will not be retained by the school for longer than necessary in relation to the purposes for which they were 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, videos or webcam recordings of pupils or students for official use, monitoring and for educational purposes. A “Parental Consent for School Photos, Recording and Work” form will need to be completed by all parents/carers when their child joins the school. Should an occasion arise where photos or videos are taken outside of the scope contained within this consent form, then we are expected to receive this additional consent from you beforehand.

Photographs may also be taken of those attending a ceremony which may appear in the newspaper. Your child’s photo or information will only be used if prior consent has been given via the “Parental Consent for School Photos, Recording and Work” form.

**CCTV**

The school will be operating CCTV on the school site as it is considered necessary to protect pupils’ safety and/or the school’s property

**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 certain information erased
5. restrict processing
6. data portability (although this is unlikely to be relevant to schools)
7. intervention in respect of automated decision making (again, automated decision making is rarely operated within 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 DPO who is named at the beginning of this document.

**Withdrawal of Consent**

The lawful basis upon which the school process personal data is that 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.

Where the school process personal date solely on the basis that you have consented to the processing, you will have the right to withdraw that consent only, eg. school photos, videos.

**Complaints to ICO**

If you are unhappy with the way your request has been handled, you may wish to ask for a review of our decision by contacting the DPO who is named at the beginning of this document.

If you are not content with the outcome of the internal review, you may apply directly to the Information Commissioner for a decision. 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.

**APPENDIX A**

**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 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>

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 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 (DfE), 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 to 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 Data Protection Officer: 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 Data Protection Officer: 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.

Other Agencies or Companies

In addition to the above, we may also share information with agencies or companies that provide services on our behalf. These include the following:-

**After School Club Providers**: In order to provide the children with an opportunity to learn or experience different skills, the school will hire their premises to ASC providers to run after school or holiday clubs. These providers will therefore have access to pupil names and parent/carer’s contact details. A list of our current providers is available from the school office.

**Chartwells – School Catering**: In order to meet statutory requirements for the provision of hot meals for pupils in school, we will share children’s names and dietary requirements with Chartwells, who are the West Sussex school meals provider.

**Confidential Waste Disposal Companies**: In order for the school to securely dispose of data that we no longer need to keep, we may need to use these companies. The school will only use companies who have provided us with evidence that they are GDPR compliant.

**External Auditors**: In order to meet audit requirements, the school will appoint an independent auditor to audit our School Fund/LFA and Charity bank accounts. Some pupil names may be included in the data stored within these accounts.

**EduFocus Evolve**: This is an online system for planning, recording and approving the management of educational visits and extra-curricular activities. This service is provided through the LA.

**Education Welfare Officer**: In order to meet statutory requirements for monitoring pupil attendance, the school will share data relating to pupil attendance.

**Educational software/resource providers**: We share basic pupil details with external service providers which relate to the children’s scores and achievements in a variety of different areas. These providers include Discovery Education Europe Ltd, Pearson, Primary Games and Twinkl.

**GL Education Group Ltd**: This company provides a dyslexia screening service for any pupil over the age of 7 years old so will have access to only certain pupil data relating to children who are referred to them.

**JSPC**: This company is an IT Specialist who provides IT support for the school. In order to carry out this support, they will have access to certain data relating to pupils.

**Labels Planet Ltd**: In order to assist the school with fundraising, we provide this company with pupil names in order for them to provide sample Stikin labels for clothing, etc. Further purchases made by parents for these labels generate money for the school. Labels Planet Ltd delete any data that is not required once the samples have been generated, and have given assurances that they never share this information with third party organisations.

**Ofsted Inspectors**: In order to meet statutory requirements, the school are expected to share pupil data with Ofsted during school inspections.

**Other Schools**: To comply with the requirements of the Education Act in respect of maintenance of children’s educational records, information will be shared or passed onto destination schools when they leave our school. Methods of transferring this information will be carried out via CTF files on the secure School2School website and encrypted emails. An agreed protocol has also been put into place where any paper copies sent to destination schools will be signed for by the receiving school in order to confirm safe receipt.

**ParentMail/Eduspot**: This company provides an online payment and communication system on behalf of the school. In order to do this, we share some pupil data and parent/carer contact details.

**Private Funds Manager (PFM)**: Some pupil data will be stored within this financial system in order to record financial transactions in relation to the children attending school trips, purchasing uniform, etc.

**SCAS Ltd:** In order to fulfil any IT requirements relating to SIMS, we have an annual SLA with this company, who will be able to view some pupil records during the course of dealing with any IT queries.

**School Governors**: All schools require a Governing Body. Each Governing Body is made up of staff, parents, LA representatives and co-opted members of the public. During the course of meetings or monitoring of school data, the governors may have access to pupil data. However, no pupil data is permitted to be taken off site, and is only used to assist with the understanding of the information or subject that is being discussed.

**Softlink:** This company provides the library system which is operated within school. Pupil data will be stored on this system in order to monitor books borrowed and returned.

**Supply Teachers:** The school may need to use a supply teacher to cover classes during staff absences. These supply teachers will have access to relevant personal information about pupils to allow them to effectively carry out their duties and care for the children.

**Support Services for Children**: At times, in order to make appropriate provision for children in accordance with the Special Educational Needs and Disability Code of Practice: 0-25 years 2015 and the Children and Families Act 2014, the school will work with the following organisations:- Family Support Workers, Private Fostering Organisations, Virtual Schools, Occupational Therapists, Speech & Language Therapists and Play Therapists (currently Your Space Play Therapy Ltd). During the course of this work, the school will need to share a range of information relating to the various pupils concerned.

**2 Simple 2Build a Profile and Essex County Council Target Tracker**: In order to support us in meeting the statutory requirements to record and monitor pupil’s academic progress and attainment, we utilise these software packages to hold and analyse data.

Please note that the above list is subject to change as we terminate a contract, or purchase/appoint new agencies/services in the future. The school will review this list periodically in order to keep it as current as possible.