



Privacy Notice (How we use pupil information)

We collect and hold personal information relating to our pupils and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE).

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

- Personal information (such as name, date of birth, unique pupil 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
- Special Educational Needs And Disability information
- Medical conditions and information
- Behaviour and exclusion information
- Family/carers contact details
- Relevant medical information given to us by parents and other third parties such as NHS Trusts, GPs and allied medical professionals (such as physiotherapists, occupational therapists, Speech and Language therapists, sight and hearing professionals)
- Pupils' images

Why we collect and use this information

We use the pupil data:

- to support pupil learning and inform teaching
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our provision and services
- to comply with the law regarding data sharing
- to safeguard pupils
- where appropriate, to showcase the school's achievements and to promote the school to prospective pupils (including through the school's prospectus and website)
- other reasonable purposes relating to the operation of the school, unless consent has not been given.



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The lawful basis on which we use this information

On the 25th May 2018, the Data Protection Act 1998 was replaced by the General Data Protection Regulation (GDPR). The School is a public authority and has certain powers

and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of the School's statutory functions and powers. We will always take into account your interests and rights. This Privacy Notice sets out your rights and the School's obligations to you.

The condition for processing under the GDPR will be **Article 6**.

1. Processing shall be lawful only if and to the extent that at least one of the following applies:
 - Data subject has given consent.
 - Necessary for the performance of a contract
 - Processing is necessary for compliance with a legal obligation to which the controller is subject
 - To protect the vital interests of the data subject of another person (such as providing contact and medical information for an emergency).
 - For the performance of a task carried out in the public interest or in exercise of official authority.
 - Necessary for the purposes of the legitimate interests.

Sometimes the use of your personal data (including the processing of Special Categories of personal data as per Article 9) requires your consent. We will first obtain your consent to that use.

Article 9

1. Processing of personal data revealing racial or ethnic origins, political opinions, religious or philosophical beliefs, or trade union membership and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning natural person's sex life or sexual orientation shall be prohibited.
2. Paragraph 1 shall not apply if one of the following applies:
 - The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where union or member state law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject.
 - Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent.
 - Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with



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Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

To find out more about the data collection requirements placed on us by the DfE (via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

The Education (Information about Individual Pupils) (England) Regulations 2013 – Provision of information by schools maintained by local authorities to their local authorities or to the Secretary of State Regulation 3 – states that ‘Within fourteen days of receiving a request from the local authority by which a school is maintained, or from the Secretary of State, the governing body of that school shall provide to the authority or, where so requested, to the Secretary of State, such of the information referred to in Schedule 1, and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested’.

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

Collecting pupil information

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 General Data Protection

Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Voluntarily provided data

Families are asked to voluntarily provide information including:

- Information about pupils' medical and dietary needs
- Information about pupils' family and ethnic background
- Pupil names and images for use in school promotions
- Information about your family background for the purpose of providing additional support to pupils in school
- Information about your beliefs and if practising so that we can be inclusive in our teaching and learning.



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Storing pupil data

We hold both electronic and hard paper copies of pupil data. Personal files are kept locked away in rooms that can only be accessed by authorised staff and are inaccessible by visitors. Data stored electronically can only be accessed by individual and personalised passwords. Files are backed up regularly and remotely off site.

We will not hold pupil data for any longer than necessary. This will depend on the type of information and what it is used for.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority (including school advisers)
- other local authorities that pupils move into after leaving us
- the Department for Education (DfE)
- School bodies such as OFSTED
- Children's Social Care
- NHS and school nurses and other medical professionals where appropriate (please see details below)
- Third party data processors that process or manage data on our behalf (such as SIMS.net who provide our data management system; CPOMS who provide our incident record system; Pendle Children's University who award the certificates for pupil's participation and learning).

All these are data controllers in respect of the personal data that they receive and must themselves comply with GDPR and the associated Data Protection Bill which will replace the current Data Protection Act 1998.

Public Health Screening Programmes

The school shares class list information with providers in connection with the following public health screening programmes:

National Child Measurement Programme (NCMP)

The lawful basis for processing personal data is:

Art. 6 (1) (e) GDPR:

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

The personal data processed in respect of these two public health screening programmes includes personal data revealing ethnic origin which is classified as special category personal data under Art. 9 GDPR which merit special protection and consequently a further



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condition for processing is required. The additional lawful basis for processing special category personal data (specifically ethnic origin) is:

Art. 9 (2) (i) GDPR:

Processing is necessary for reasons of public interest in the area of public health

Dental Screening Survey & Vision Screening Programmes

The lawful basis for sharing personal data is:

Art. 6 (1) (f) GDPR:

Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party

The legitimate interest is to provide public health services and improve health and wellbeing outcomes for children and young people, which falls outside the task of schools as public authorities to provide education to children and young people.

Processing is necessary as only schools hold up to date class list/address data to facilitate:

- Any necessary follow-up arrangements, in response to identified need or to promote health and wellbeing, by a health professionals. Contact is arranged with the child/ young person or with parents/ carers.
- Any appointments being sent to the parent/guardian of a child who requires further assessment of their optical health needs – or to arrange follow-up as indicated by the initial screening tests.

The LEA only receive snapshot census data 3 times per year.

It is in the child's interests to be offered an appointment to treat any identified further health needs. Some conditions such as amblyopia (lazy eye) are much more difficult to treat if left undiagnosed after the age of 8 and can result in permanent vision loss.

Optical and oral health are important aspects of a child's overall health status

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

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>.



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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>



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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:

School Business Support Officer (c/o School Office)

Tel: 01282 812223

Email: bursar@salterforth.lancs.sch.uk

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/>

Contact

If you would like to discuss anything in this privacy notice, please contact:

School Business Support Officer (c/o School Office)

Tel: 01282 812223 Email: bursar@salterforth.lancs.sch.uk