THE ARUN VILLAGES FEDERATION

Enabling every child to thrive and succeed

PRIVACY NOTICE
How We Use Pupil Information

The Arun Villages Federation complies with the GDPR. Amberley CE Primary School and St James CE Primary School are registered as 'Data Controllers' with the Information Commissioner's Office.

The Data Protection Officer (DPO) for the federation is Maureen Chaffe.

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 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, examination results
- Where pupils go after they leave us
- Any special educational needs or disabilities as well as relevant medical information.

Why we collect and use this information:

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

The lawful basis on which we use this information

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

We collect and use pupil information under the lawful bases for processing as set out in Article 6 of the GDPR:

(a) **Consent:** an individual has given clear consent for the school to process their personal data for a specific purpose.

(b) **Contract:** the processing is necessary for a contract the school has with an individual, or because they have asked the school to take specific steps before entering into a contract.

(c) **Legal obligation:** the processing is necessary for the school to comply with the law (not including contractual obligations).

(d) **Vital interests:** the processing is necessary to protect someone's life.

(e) **Public task:** the processing is necessary for the school to perform a task in the public interest or for the school's official functions, and the task or function has a clear basis in law.

(f) **Legitimate interests:** the processing is necessary for the school's legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

Conditions for processing special category data

The conditions are listed in Article 9(2) of the GDPR:

(a) 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;

(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

(c) 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;

(d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;

(e) processing relates to personal data which are manifestly made public by the data subject;

(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;

(g) processing is necessary for reasons of substantial public interest, on the basis of 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;

(h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;

(i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;

(j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with 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.

Collecting pupil information
Whilst the majority of pupil information that is provided to the school is mandatory, some of it is provided on a voluntary basis. In order to comply with the GDPR, the school will advise on whether pupil information is compulsory or optional.

Storing pupil data
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

Who we share pupil information with
The school routinely shares pupil information with:

- the local authority
- Schools that a pupil attends after leaving this school
- The Department for Education (DfE)
- NHS
- third-party organisations, as allowed by law
- agencies that provide services on our behalf
- agencies with whom we have a duty to co-operate

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 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 and the 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 of 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 information about the National Pupil Database (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.

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 Nicky Kirby at the school.

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: Nicky Kirby (office@coldwalthamschool.co.uk).