

Privacy Notice



Signed by Head Teacher

R Wright *Doss*

Signed by Chair of Governors

[Handwritten signature]

Date approved: 27th April 2021

Next Review Date: 27th April 2022

Privacy Notice (How we use pupil information)

We, Moorlands Primary School, are a data controller for the purposes of data protection. We collect information from you and may receive information about you from your previous setting or education provider, local authorities, the Department for Education (DfE) and the Learning Records Service (<https://www.gov.uk/government/publications/learningrecords-service-the-plr-for-learners-and-parents>).

A great deal of the information we collect is included in the Pupil Registration Form, completed on your child's admission to the school which, when signed, gives us your permission to process the data. In addition, we collect information on national curriculum assessment results, attendance, academic progress, medical issues, safeguarding and special educational needs and disabilities.

The categories of pupil information that we process include:

- **Personal identifiers and contacts** - name, unique pupil number, contact details and address
- **Characteristics** - ethnicity, language, and free school meal eligibility
- **Safeguarding information** - such as court orders and professional involvement
- **Special educational needs**, including the needs and ranking, health care plans
- **Medical and administration** - such as doctors information, child health, dental health, allergies, medication and dietary requirements
- **Attendance** - such as sessions attended, number of absences, absence reasons and any previous schools attended
- **Assessment and attainment** - key stage 1 and phonics results, and any relevant results
- **Behavioural information** - exclusions and any relevant alternative provision put in place
Media -audio, photo and video consent – at parent/carer permission for our website/blog
- **Data for trips** – dietary requirements, medical needs and medication, consent for swimming and travelling on a minibus
- This list is not exhaustive, to access the current list of categories of information we process please ask to see our data asset register/privacy notice.

Why we collect and use pupil information:

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)

f) to meet the statutory duties placed upon us for DfE data collections

Under the **General Data Protection Regulation (GDPR)**, the lawful bases we rely on for processing pupil information are:

- Article 6 (1)(e) – the 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
- Article 9 (2)(g) – the processing is necessary for reasons of substantial public interest

Under the **Data Protection Act 2018**, the lawful bases we rely on for processing pupil information are:

Section 8(a) – the administration of justice

Section 8(c) – the exercise of a function conferred on a person by an enactment or rule of law

Collecting pupil information:

We collect pupil information via registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from previous school.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

Storing pupil data:

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit: https://www.southampton.gov.uk/images/rrrs-version-9.004_tcm63-389236.pdf

Who we share pupil information with:

We routinely share pupil information with:

- schools
- local authorities
- Department for Education (DfE)
- NHS, including school nurse

Why we regularly 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.

We also share pupil's information to:

- Meet our statutory duty to create and maintain an admission register under the Education (Pupil Registration) (England) Regulations 2006 and subsequent amendments, without which schools are unable to enrol a pupil. Support teaching and learning. In order to facilitate this, we may share information with the software supplier to set up the systems needed for pupils and parent/carers to access.
- Monitor and report on academic progress.
- Provide appropriate pastoral care (Keeping Children Safe in Education 2016).
- Assess how well we, as an education provider, are doing.
- Co-operate with Southampton City Council and external partners to improve the wellbeing of children, under the duty of the Children Act 2004. Working Together to Safeguard Children (2015)
Share information with Southampton City Council and external partners to support the duty to safeguard and promote the welfare of children, under the Children Act 1989, Section 17. Working Together to Safeguard Children (2015)
Share data with professionals commissioned by the school or working with a pupil such as the School Nurse or health services.
- Comply with our statutory duty under the Education (Pupil Information) (England) Regulations 2005 Statutory Instrument and subsequent amendments in The Education (Pupil Information) (England) (Amendment) 2008 to create a Common Transfer File when a child ceases to be registered at a school and becomes a registered pupil at another school in England or Wales. This would also apply to pupils who are dually registered at more than one school. If a Common Transfer File cannot be sent to a new school when a pupil leaves, one must be sent to the DfE Lost Pupil Database.
- Provide information via statutory census returns to the DfE and in turn this will be available for the use of Southampton City Council to carry out its official functions, or a task in the public interest. Further information can be found online at <https://www.gov.uk/government/publications/school-census-2016-to-2017-guidefor-schools-and-las>
- Send pupil information to Southampton City Council on a regular basis in accordance with our information sharing agreement to enable the local authority to meet its duty under data protection legislation to ensure that the data it holds is accurate and also to carry out its official functions, or a task, in the public interest.
- Notify Southampton City Council on a termly basis of all pupils on a reduced timetable so that the local authority can comply with statutory Ofsted requests for data at the time of inspection.
- Comply with the statutory requirements of the Education (Pupil Registration) (England) Regulations 2006 and subsequent amendments, notifying Southampton City Council if a child leaves the school and providing forwarding details. A failure to provide this information will result in pupils being record as a "Child Missing Education", in accordance with the government definition.
Provide attendance information to Southampton City Council so that it's duties under the Anti-Social Behaviour Act 2003, Section 444 of the Education Act 1996 and Section 36 of the Children Act 1989 (Education Supervision Orders) can be met.

Provide exclusion information to Southampton City Council so that its duty Under Section 19 of the Education Act 1996 can be met.

Meet our duty to provide information about any exclusions within the last 12 months to the Secretary of State and (in the case of maintained schools and PRUs) the local authority, in accordance with The Education (Information About Individual Pupils) (England) Regulations 2006.

- When your child applies for further education or training, the school/LA may forward information to colleges or providers in order to aid your child's transition into further education or training

Use of CCTV on the premises:

We use CCTV in various locations around the school site for health and safety, the detection, prevention and investigation of crime and also for the safeguarding of stakeholders. We will adhere to the ICO's code of practice for the use of CCTV.

We do not need to ask individuals' permission to use CCTV, but we make it clear where individuals are being recorded. Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use. Our system retains the footage for 30 days and then this is overwritten. If a copy of footage is required it will be securely stored for a maximum of 12 months and then destroyed.

In some instances, the footage may be;

- shared with law enforcement agencies for the purposes of preventing or detecting crime, or the apprehension or prosecution of offenders.
- used for the purposes of safeguarding pupils and other stakeholders.

Any enquiries about the CCTV system should be directed to the School Business Manager via the school contact details.

Department for Education:

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

- Section 3 of the Education (Information about Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

Local Authorities:

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the [Schools Admission Code](#), including conducting Fair Access Panels.

Requesting access to your personal data:

Under GDPR, 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 Mrs Sarah Harrison at info@moorlandsprimary.net.

Depending on the lawful basis above, you may 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
- a right to seek redress, either through the ICO, or through the courts

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Contact:

If you would like to discuss anything in this privacy notice, please contact Mrs Sarah Harrison the School Business Manager:

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|-------------------------|---|
| School postal address | Moorlands Primary School Kesteven Way Bitterne Southampton SO18 5RJ |
| School e-mail address | info@moorlandsprimary.net |
| School telephone number | 023 8046 4404 |

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following websites:

www.youngsouthampton.org/privacynotice.aspx and

<http://media.education.gov.uk/assets/files/doc/w/what%20the%20department%20does%20with%20data%20on%20pupils%20and%20children.doc>

<http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

- **Solicitor for Education:** Legal Services, Southampton City Council, Ground Floor, Civic Centre, SO14 7LY
- **Public Communications Unit:** Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT
- Website: www.education.gov.uk
- Email: www.education.gov.uk/help/contactus
Telephone: 0370 000 2288

How Government uses your data:

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

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>

The National Pupil Database (NPD):

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

Sharing by the Department:

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfe-external-data-shares>

How to find out what personal information DfE hold about you:

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>