



## Penair School Privacy Notice

### Why do we collect and use pupil information?

We Penair School are a data controller for the purposes of the General Data Protection Regulation (GDPR). THE GDPR defines what is meant by 'personal data', places obligations on data controllers and creates principles relating to the processing of personal data. We collect personal information from you and may receive information about you from your previous school and the Learning Records Service. We collect and use pupil information under articles 6 (Lawfulness of processing) and 9 (Processing of special categories of personal data) of the GDPR.

### We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us by the Department for Education (DfE)
- to Safeguard pupils' welfare and providing appropriate pastoral (and where necessary medical) care
- to informing decisions such as the funding of schools
- to Assess performance and to set targets
- to give and receive information and references about past, current and prospective pupils, and to provide references to potential employers of past pupils
- to manage internal policy and procedure
- to enable pupils to take part in assessments, to publish the results of examinations and to record pupil achievements
- to carry out statistical analysis for diversity purposes
- for legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care
- to enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate
- to monitor use of the school's IT and communications systems in accordance with the school's IT security policy
- to make use of photographic images of pupils in school publications, on the school website and on social media channels
- for security purposes, including CCTV
- to comply with the law regarding data sharing
- to meet the statutory duties placed upon us for DfE data collections

### We use the parents' data:

- to assess the quality of our services
- to comply with the law regarding data sharing
- to ensure financial stability

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

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)

- special educational needs (including the needs and ranking)
- 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 (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)

### **Collecting pupil information**

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. We collect pupil information via registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from the previous setting. 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 and we will tell you what you need to do if you do not want to share this information with us.

### **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://penair.cornwall.sch.uk/wp-content/uploads/2020/12/Penair-School-Data-Protection-Policy-June-2019-1.pdf>

All confidential information is kept secure either on encrypted, password protected devices or paper copies kept on the school site. Once the deadline for retaining information has passed, data kept electronically is deleted and paper copies are destroyed in conjunction with the retention schedule.

### **Who do we share pupil information with?**

We routinely share pupil information with:

- Schools that the pupil attends after leaving us
- Our local authority
- The Department for Education (DfE)
- Children's Social Care (when safeguarding pupils' welfare)
- External professionals who visit school (such as Educational Psychologists)
- Law enforcement officials such as the Police
- The NHS
- Suppliers and service providers with whom we have a contract
- Voluntary organisations linked to the school
- Youth support services (pupils aged 13+)

Information will be provided to those agencies securely or anonymised where possible. The recipient of the information will be bound by confidentiality obligations - we require them to respect the security of your data and to treat it in accordance with relevant legislation.

### **Youth support services - Pupils aged 13+**

Once our pupils reach the age of 13, we also pass pupil information to our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996. This enables them to provide services as follows:

- youth support services
- careers advisers

A parent / guardian can request that **only** their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once he/she reaches the age 16.

For more information about services for young people, please visit their website:  
<https://nationalcareersservice.direct.gov.uk/aboutus/Pages/default.aspx>

### **Department for Education (DfE) & Local Authorities**

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. 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: regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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.

We may also be required to share information about our pupils to fulfil our function as a school under public task.

### **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 (DfE)**

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>

#### **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 Mrs M R Vingoe. 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, 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/>

#### **Withdrawal of Consent and the Right to Lodge a Complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting Ms J Branch (Headteacher's PA) [jbranch@penair.cornwall.sch.uk](mailto:jbranch@penair.cornwall.sch.uk)

#### **Last updated**

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 19 March 2021.

If you would like to discuss anything in this privacy notice, please contact Mrs M R Vingoe (School Information Officer).