



Wheeler's Lane Primary School

Privacy Notice - (How we use pupil information)

Under the EU's General Data Protection Regulation (GDPR) personal data is defined as: "any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person".

This privacy notice tells you how we, Wheeler's Lane Primary School, will collect and use your personal data

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

- Personal information (such as name, unique pupil number, parent/carer information and address)
- Characteristics (such as ethnicity, language, nationality, country of birth, free school meal eligibility and looked after status)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as results and progress assessments made by teaching staff)
- Relevant medical information (such as medical conditions, accident report forms, allergies and medical care needed)
- Safeguarding information
- Special Educational Needs information
- Information relating to behaviour including exclusions
- Photographic images

Why we collect and use this information

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 comply with the law regarding data sharing
- to administrate trips and extracurricular activities
- to ensure that safeguarding is effectively delivered
- to record and celebrate pupil achievement
- to maintain contact with parents and carers

The lawful basis on which we use this information

We collect and use pupil information under the following lawful bases:

Legal obligation:

the processing is necessary for the school to comply with the law.

The legislation that allows us to collect and process this data is:

- The Education (Pupil Information) (England) Regulations 2005 SI 2005 No. 143
- Keeping children safe in education Statutory guidance for schools and colleges March 2015"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015"
- Education Act 1996 Section 7
- Limitation Act 1980 (Section 2)
- Social Security (Claims and Payments) Regulations 1979 Regulation 25.
- Social Security Administration Act 1992 Section 8. Limitation Act 1980

Public task:

the processing is necessary for the school to perform a task for our official functions, and the task or function has a clear basis in law.

- School attendance: Departmental advice for maintained schools, academies, independent schools and local authorities October 2014

Consent:

From time to time we may seek to collect other data for which we will require your consent. When we need to do this we will seek your explicit consent. We will make sure you know why we are collecting the data, how it will be stored and if/with whom it will be shared before asking for your consent. We will not collect such data without your explicit consent.

Wheeler Lane Primary School requires your consent for the taking and use of photographic images.

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.

Storing pupil data

We hold pupil data in accordance with guidance provided by the Information Records Management Society (IRMS) in their publication “Information Management Toolkit for Schools”. https://c.ymcdn.com/sites/irms.site-ym.com/resource/collection/8BCEF755-0353-4F66-9877-CCDA4BFEEAC4/2016_IRMS_Toolkit_for_Schools_v5_Master.pdf

Description of files	Statutory provision for holding Data	Retention Period	Action at the end of the retention period
Pupil's Educational Record required by The Education (Pupil Information) (England) Regulations 2005	The Education (Pupil Information) (England) Regulations 2005 SI 2005 No. 143	Retain whilst the child remains at the primary school	The file should follow the pupil when he/she leaves the primary school. This will include: <ul style="list-style-type: none"> • to another primary school • to a secondary school • to a pupil referral unit • If the pupil dies whilst at primary school the file should be returned to the Local Authority to be retained for the statutory retention period.

			If the pupil transfers to an independent school, transfers to home schooling or leaves the country the file should be returned to the Local Authority to be retained for the statutory retention period.
Pupil copies of SATS papers		Retain whilst the child remains at the school	Transfers with pupil records
Child Protection information held on pupil file	Keeping children safe in education Statutory guidance for schools and colleges March 2015"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015"	Placed in sealed envelope in pupil file	Transfers with pupil records
Child protection information held in separate files		DOB of the child + 25 years then review	Secure disposal – Shredded or deleted from servers
Attendance Registers	School attendance: Departmental advice for maintained schools, academies, independent schools and local authorities October 2014	Three years after date of entry	Secure disposal – Shredded or deleted from servers
Correspondence relating to authorized absence	Education Act 1996 Section 7	Current academic year plus 2 years	Secure disposal – Shredded or deleted from servers
Special Educational	Limitation Act 1980 (Section 2)	Date of Birth of the	Review at end of the minimum period of retention

Needs files, reviews and Individual Education Plans		pupil + 25 years (minimum retention)	
Statement or Educational Health Care Plan (EHCP) maintained under section 234 of the Education Act 1990 and any amendments made to the statement	Education Act 1996 Special Educational Needs and Disability Act 2001 Section	Date of Birth of the pupil + 25 years (minimum retention)	Secure disposal unless the document is subject to a legal hold
Advice and information provided to parents regarding educational needs	Education Act 1996 Special Educational Needs and Disability Act 2001 Section	Date of Birth of the pupil + 25 years (minimum retention)	Secure disposal unless the document is subject to a legal hold
Accessibility Strategy		Date of Birth of the pupil + 25 years (minimum retention)	Secure disposal unless the document is subject to a legal hold
Accident report Forms (Held separately to pupil records)	Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980	Date of Birth of the pupil + 25 years	Secure Disposal

Historical basic pupil data held on the School Information Management system in the form of an annual system back-up is currently retained on the school servers for 7 years.

Who we share pupil information with

We routinely share pupil information with:

- schools, academies or multi-academy Trusts that the pupils attend after leaving us
- our Local Authority – Birmingham City Council
- the Department for Education (DfE)
- the school Nurse (when necessary)
- persons involved in ensuring that Special Educational Needs are managed and appropriately catered for
- Providers of the school's home to school communications system
- Provides of specific and agreed on-line learning platforms
- Providers of secure data back-up services
- Providers of secure systems for the monitoring and recording of behavioural &/or child protection information

Any third parties that we may share your data with are obliged to keep your details securely, and to use them only to fulfil the service they provide on our behalf. When they no longer need your data to fulfil this service, they will dispose of the details in line with our own procedures. If we wish to pass your sensitive personal data onto a third party we will only do so once we have obtained your consent, unless we are legally required to do otherwise.

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>.

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>

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 Anne Bates, Senior Office Manager by e-mail to a.bates@wheelerslane-pri.bham.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

What forms of ID will I need to provide in order to access this?

Whealers Lane Primary School accepts the following forms of ID when information on your personal data is requested:

- current passport bearing a photograph and signature, or
- driving license, bearing a photograph and signature.
- If you do not hold a current passport or driving license two copies of other identification documents may be accepted as an alternative, such as:
birth certificate; utility bill from preceding three months bearing current address;
current vehicle registration document; bank statement from preceding three months;
current rent book.

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/>

Or by post:

Information Commissioner's office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Or Telephone: 0303 123 1113 (Local Rate)

Contact

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

Anne Bates – Senior Office Manager. e-mail a.bates@wheelerslane-pri.bham.sch.uk
telephone 0121 464 2551