

Ladysmith Federation

Privacy Notice: Pupil Information

1. What do we collect and why do we need it?

- full name
- date of birth
- home address
- previous home address
- email address
- telephone number
- school travel arrangements
- free school meal eligibility
- name of previous school and reason for leaving
- images (these may be captured during official school photos; class work; activities, performances or on school CCTV)
- education file from previous school
- Unique Pupil Reference Number (UPN)
- candidate or examination number
- information about local authority funding
- consent preferences
- attendance levels
- educational performance and achievements
- behavioural information and exclusions
- eligibility to receive Bursary funding
- learner information (for pupils enrolling for post 14 qualifications)
- details about any equipment assigned to the pupil
- dietary requirements
- relevant medical conditions
- special educational needs
- ethnicity (including language spoken and nationality)
- religious or other beliefs
- fingerprints
- concerns about child protection or safety
- whether the pupil is adopted or in care

We need this information to:

- assess the pupil's eligibility to attend our school and process their admission request
- help us build a picture of their educational, social and health needs, so we can support them and provide pastoral care where required
- support pupil learning and to help them reach their educational goals
- monitor and report on pupil progress, attainment, attendance and behaviour
- provide library, ICT and learning resources
- communicate with our pupils regarding homework and other important school matters
- safeguard and promote the welfare of pupils
- comply with laws regarding data sharing
- assist in the prevention or detection of crimes

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- maintain pupil records
- assess eligibility for funding, bursaries and grants
- respond to complaints, grievances and discipline investigations
- assess the quality of our services
- meet statutory duties placed upon us by the Department for Education
- provide cashless catering services (this relates to the collection of student fingerprints)

2. Who do we share pupil data with and why?

Department for Education

We are required to share information about our pupils with the DfE (this is known as the 'school census'), either directly or via our local authority, so the DfE can carry out their statutory duties regarding data collections. Our duty to share this information comes under regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. 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>

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 DfE. To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>. The law allows the DfE to share pupils' data with certain third parties. 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>

For information about which organisations the DfE has provided pupil information visit their website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

For information about how the DfE collects and shares pupil data for research purposes, visit their website at

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

Children in need and looked after children information

We are required to share information with the DfE about our pupils who are 'children in need' or 'looked after', so the DfE can carry out their statutory duties regarding data collections. Our duty to share this information comes under regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the data collection requirements placed on us by the DfE go to:

Children in need: <https://www.gov.uk/guidance/children-in-need-census>

Children looked after: <https://www.gov.uk/guidance/children-looked-after-return>

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Our local authority

We may be required to share information about our pupils with the local authority, to ensure they can carry out their statutory duties under the [Schools Admission Code](#), including conducting Fair Access Panels.

We may also be required to share child protection or safeguarding information with them, so we can carry out our statutory duties under section 11 of the Children's Act 2004 (duty to safeguard and promote the welfare of children) and to enable the local authority to carry out their duties under section 47 of the Children's Act 1989 (duty to investigate and take action to safeguard children).

Children in need and looked after children information

We are required to share information about our pupils who are classed as 'children in need' or 'looked after', with the local authority, under regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. This is so we can both support those pupils and provide them with the necessary pastoral care.

Other schools

We are required to share a pupil's Common Transfer File and educational record with their next school when they leave us. We are also required to share a pupil's 'curricular record' with the pupil's intended school, upon request. We are required to share this data under The Education (Pupil Information) (England) Regulations 2005.

Educational psychologists, school nurse and other professionals

We may share information about a pupil with educational psychologists, health workers (including the school nurse), social workers or other professionals, to ensure the pupil receives the appropriate health, wellbeing and educational support they need. Sharing in these instances, will be carried out with the consent of the parent/carer and/or pupil, where required.

Standards and Testing Agency

We are required to share information about pupils in year 2 and in year 6 to the Standards and Testing Agency, so they can facilitate and report on our key stage 1 and key stage 2 national curriculum tests (commonly referred to as SATs). More information about SATs are available at: www.gov.uk/government/publications/key-stage-1-and-2-national-curriculum-tests-information-for-parents

Examination Boards and Moderators

We are required to share information about our pupils with examination boards and moderators, so they can enter our pupils into exams, make accessibility arrangements for them where required, mark their work and issue their grades.

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3. What is our legal basis for processing pupil data?

When processing personal data about our pupils, we rely on the following legal bases, which are set out in Article 6 of the UK GDPR:

- it is necessary for us to perform a task carried out in the public interest or in the exercise of our official duties
- it is necessary for us to comply with a specific legal obligation
- the data subject has given us their consent
- it is necessary to protect the vital interests of a person

When we process 'special' data about our pupils, we rely on one or more of the following legal bases as well, which are set out in Article 9 of the UK GDPR:

- the data subject has given us their explicit consent
- it is necessary for us to carry out our obligations and exercise our or the data subject's specific rights relating to employment, social security and social protection law
- processing is necessary to protect the vital interests of a person where the data subject is physically or legally incapable of giving consent
- processing is necessary for reasons of substantial public interest

Other legal bases listed in Article 9 of the UK GDPR may also apply, depending on the processing required.

4. What are your data protection rights?

Your right of access

You have the right to ask us for copies of your personal data. There are some exemptions, which means you may not always receive all the information we process.

Your right to rectification

You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure

You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing

You have the right to ask us to restrict the processing of your information in certain circumstances.

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Your right to object to processing

You have the right to object to us processing your information where we consider this is necessary for us to perform a task in the public interest. You can also object to us using your contact details to send you direct marketing or fundraising communications.

Your right to data portability

This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you. The right only applies if we are processing information based on your consent or under a contract (or in talks about entering into a contract) and the processing is automated.

Your right to complain

We work to high standards when it comes to processing your personal information. We hope you will always be happy with the way we handle your information, however if we have not met your expectations, please let us know so we can put things right. To do this, please email the school data lead at ewills@ladysmithfederation.net . If you remain dissatisfied, you have the right to complain to the Information Commissioner's Office (ICO). The ICO's contact details are available at <https://ico.org.uk/concerns>

You are not required to pay a charge for exercising your rights and we have one month to respond to you.

If you are a parent/carer and want to request a copy of your child's educational record, this type of request will be handled under The Education (Pupil Information) (England) Regulations 2005. We will respond to these types of requests within 15 working days (i.e. days when the school is open).

Please email us at ewills@ladysmithfederation.net if you would like to make a request or complaint or contact the school office on 01392 271596 (Infants) 01392 255554 (Juniors).

Further information about your data protection rights, can be found on the Information Commissioner's Office website at www.ico.org.

If you have any queries about this privacy notice, or the way your personal information is being handled by the school, contact our Data Protection Officer:

Annette Henry

Email: schooldataprotection@devon.gov.uk