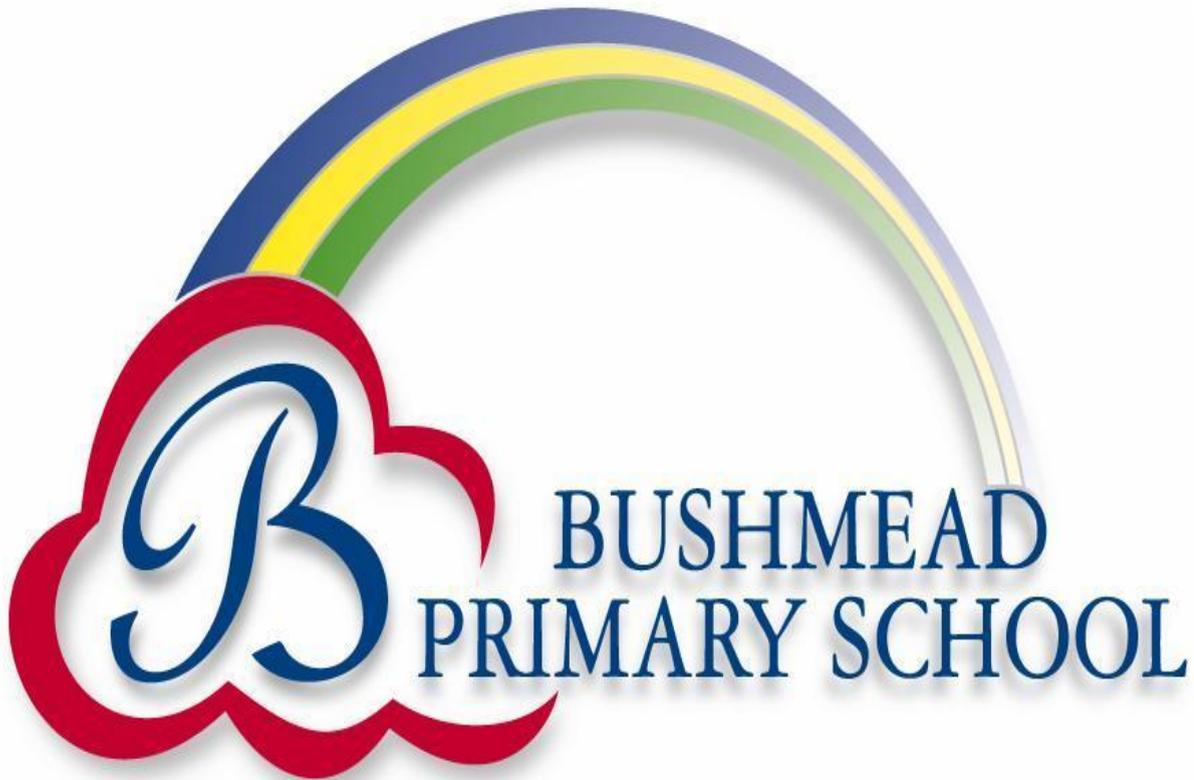


# PRIVACY NOTICE POLICY



<b>Owned and Written by</b>	<b>J Walter, K Leech and Luton Borough Council</b>	<b>Date June 2020</b>
<b>Approved by</b>	<b>Full Governing Body</b>	<b>Date July 2020</b>
<b>Date for Review</b>	<b>June 2022</b>	

This policy has been updated to reflect the General Data Protection Regulation (GDPR) and Data Protection Act 2018, and it supersedes the HM Government Information Sharing Guidance for Practitioners and Managers published in March 2015.  
<https://ico.org.uk/global/data-protection-and-coronavirus-information-hub/>

## **Privacy notice (how we use pupil information)**

### **Who processes your information?**

Bushmead Primary School is the data controller of the personal information you provide to us. This means that the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed. Mr K Leech acts as a representative for the school with regard to data controller responsibilities.

In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law required the school to share your data. Where the school outsources data to a third party processor, the same data protection standards that Bushmead Primary School upholds are imposed on the processor.

Mr K Leech is the data protection officer. His role is to oversee and monitor the school's data protection procedures and to ensure they are compliant with the General Data Protection Regulation (GDPR). He can be contacted on 01582 725387 or via [dpo@bushmeadprimaryschool.co.uk](mailto:dpo@bushmeadprimaryschool.co.uk).

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

The categories of pupil information that the school collects, holds and shares include the following:

- personal information (such as names, unique pupil numbers and addresses)
- characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- attendance information (such as sessions attended, number of absences and absence reasons)
- assessment information (such as national curriculum assessment results)
- relevant medical information
- behavioural information (such as the number of temporary exclusions)

Whilst the majority of the data you provide the school is mandatory, some is provided on a voluntary basis. When collecting data, the school will inform you whether you are required to provide this data or if your consent is needed. Where consent is required, the school will provide you with specific and explicit information to the reasons the data is being collected and how the data will be used.

### **Why we collect and use this information**

Bushmead Primary School collects and uses the personal data of pupils and their families for the following reasons:

- 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 safeguard pupils

### **The lawful basis on which we use this information**

Bushmead Primary School holds the legal right to collect and use personal data relating to pupils and their families. We may also receive information regarding them from the previous school (including pre-school settings), local authority and/ or the Department for Education. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the General Data Protection Regulation (GDPR) and UK law, including those relating to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

## **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**

Personal data relating to pupils at Bushmead Primary School and their families is stored in line with the school's GDPR Data Protection Policy.

In accordance with the GDPR, the school does not store personal data indefinitely; we hold pupil data for as long as necessary to complete the task for which it was originally collected.

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

The school is required to share pupils' data with the Department for Education on a statutory basis.

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.

Bushmead Primary School is required by law to provide information about our pupils to the Department for Education as part of statutory data collections, such as the school census and early years census. Some of this information is then stored on the National Pupil Database. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

The Department for Education may share information about our pupils from the National Pupils Database with third parties who promote the education or wellbeing of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department for Education has robust processes in place to ensure confidentiality of any data shared from the National Pupil Database is maintained.

To find out more about the NPD, go to

<https://www.gov.uk/government/collections/national-pupil-database>

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

Decisions on whether Department for Education 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 for Education'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-requestsreceived>

To contact the Department for Education, please visit <https://www.gov.uk/contact-dfe>

Bushmead Primary School will not share your personal information with any third parties without your consent, unless the law allows us to do so. For example, we are required to share information about our pupils with our local authority (LA) and the Department for Education under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

The school routinely shares pupils' information with:

- pupils' destinations upon leaving the school (for example, Stopsley High School)
- the local authority
- the National Health Service
- The Department for Education

### **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>.

### **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.

You have the right to:

- be informed about how Bushmead Primary School uses your personal data
- request access to the personal data that Bushmead Primary School holds
- request that your personal data is amended if it is inaccurate or incomplete
- request that your personal data is erased where there is no compelling reason for its continued processing
- request that the processing of your data is restricted
- object to your personal data being processed

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

To make a written request for your personal information, or be given access to your child's educational record, contact Mr K Leech, Bushmead Primary School, Bushmead Road, Luton, Beds, LU2 7EU

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:

Mr K Leech  
Bushmead Primary School  
Bushmead Road  
Luton  
Beds  
LU2 7EU