



# Birches First School

*Believe, Grow, Succeed*

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**Birches First School (part of the Codsall Multi Academy Trust)**

## **Privacy Notice**

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils**.

We, Birches First School, are the 'data controller' for the purposes of data protection law.

## **Privacy Notice (How we use pupil information)**

**The categories of pupil information that we collect, hold and share include but are not limited to:**

- Personal information (such as name, unique pupil number and address)
- 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 (progress, test results)
- Relevant health information and medical details (GP details, allergies, reports)
- Special educational needs and disability information (reports from advisory service, IEP and Action plans)
- Behavioural reports and information about Exclusions
- Safeguarding information

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

We use the pupil data to:

- support pupil learning
- monitor and report on pupil progress
- provide appropriate pastoral care
- assess the quality of our services
- comply with the law regarding data sharing

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

We collect and use pupil information under the legal basis of the Data Protection Act 1998 (DPA) and the General Data Protection Regulations (GDPR) 2018. The vast majority of this information is used under the legal basis of our public task as a school. For some limited data, such as photo images we use consent as our lawful basis.

## **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 the time limits for data storage set by the Local Authority. These differ for different categories of information eg. some books are kept for one year, safeguarding information for 25 years from

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

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- Executive Government Agencies of the DfE including;
  - the Standards and Testing Agency (STA);
  - Ofsted
  - Education and Skills Funding Agency

- South Staffordshire and Shropshire Healthcare NHS Foundation Trust;
- The Royal Wolverhampton NHS Trust and The Mid Staffordshire NHS Foundation Trust
- School Nurse, CAMHS or other NHS services
- Third party processors who require access to our information management system to carry out their agreed role with regards to pupil assessment and payment for services provided by school.

### **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-nunil-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 the Headteacher.

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: Vicki Buckley School Business Manager or Sabrina Varricchione Head Teacher