

# **PRIVACY NOTICE**

**for**  
Wateringbury CE Primary School

This notice explains what personal data or information we hold about you, how we collect and use information and when we may share it. We are required to give you this information under data protection law.

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

We collect and use pupil information under section 537A of the Education Act 1996, and section 83 of the Children Act 1989. We also comply with Article 6(1)(e) and Article 9(2)(b) of the General Data Protection Regulation (GDPR).

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to moderate teacher assessment judgements
- to provide appropriate pastoral care and support services
- to support or improve educational provision
- to ensure no children are missing education
- to support children at risk of permanent exclusion
- to support primary, secondary and in-year admissions process
- to safeguard children and young people
- to assess the quality of our services
- to comply with the law regarding data sharing
- to support you to decide what to do after you leave school

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

- Personal information (such as name, unique pupil number and contact details)
- 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)
- National curriculum assessment results
- Special educational needs information
- Relevant medical information
- Notes from pupil and/or parent meetings

## **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 information**

The school keeps information about you on computer systems and also sometimes on paper.

We hold education records securely until you change school. The child/young person's records will then be transferred to their new school, where they will be retained until you reach the age of 25, after which they are safely destroyed.

There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it is the only way we can make sure you stay safe and healthy or we are legally required to do so.

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

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

We routinely share pupil information with:

- schools or colleges that the pupils attend after leaving us
- our local authority (Kent County Council), their commissioned providers of local authority services and other government agencies and local authorities as required (e.g. to resolve funding queries)
- Department for Education (DfE) (statutory for school funding and educational attainment policy and monitoring)
- Ofsted
- local forums with schools and KCC representatives which support in-year fair access processes and support managed moves between schools
- Local multi-agency forums which provide SEND advice, support and guidance (such as the Local Inclusion Forum Team LIFT) Partner organisations signed up to the Kent & Medway Information Sharing Agreement, where necessary, which may include Police, school nurses, doctors and mental health workers and Kent Community Health NHS Foundation Trust
- Schools in local collaborations to enable the moderation of pupil assessment outcomes and to support local collaborative working
- External moderators via KCC to share end of key stage assessments to meet statutory requirements from the Standards & Testing agency (STA)
- Third-party providers of information services (such as student apps) where consent has been given and provider is not transferring data outside of the EU
- Contracted providers of services (such as school photographers and catering providers) where consent has been given

### **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.

In order to meet statutory requirements around appropriate education provision, and to fulfil safeguarding requirements, we share information about school history, and the latest known pupil and parent address and contact details in the event of a Child Missing Education, or becoming Electively Home Educated. This information also supports the in-year admissions process.

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.

To find out more about the data collection requirements placed on us by the DfE (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

We are required to share information about our pupils with Kent County Council and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

### **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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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:

## 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 school's Data Protection Officer, Sarah Cooper, via the school office.

Under the GDPR you have rights which you can exercise free of charge which allow you to:

- know what we are doing with your information and why we are doing it
- ask to see what information we hold about you (Subject Access Requests)
- ask us to correct any mistakes in the information we hold about you
- object to direct marketing
- make a complaint to the Information Commissioners Office
- withdraw consent (if applicable)

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

Depending on our reason for using your information you may also be entitled to:

- ask us to delete information we hold about you
- have your information transferred electronically to yourself or to another organisation
- object to decisions being made that significantly affect you
- object to how we are using your information
- stop us using your information in certain ways

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/> or telephone 03031 231113.

[We always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent us delivering a service to you.](#)

### Contact:

If you would like to get a copy of the information about you that KCC shares with the DfE or post-16 providers or how they use your information, please contact:

Information Resilience & Transparency Team  
Kent County Council  
Room 2.71  
Sessions House  
Maidstone, Kent

ME14 1XQ

Email: [dataprotection@kent.gov.uk](mailto:dataprotection@kent.gov.uk)

You can also visit the KCC website if you need more information about how KCC use and store your information. Please go to: <http://www.kent.gov.uk/about-the-council/contact-us/access-to-information/your-personal-information>

To contact DfE: <https://www.gov.uk/contact-dfe> or <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

If you would like to discuss anything in this privacy notice, please contact:  
Sarah Cooper, Data Protection Officer via the school office.