



Privacy Notice

(How we use pupil information)

The categories of pupil information that we process include:

- personal identifiers & contacts like name, address, unique pupil number, contact details etc.
- characteristics like ethnicity, language, free school meal & pupil premium eligibility etc.
- image and voice recordings taken for assessment, celebration and in CCTV for safety and security reasons
- safeguarding information like court orders and the involvement of other professionals.
- special educational needs including the needs and ranking.
- medical information like doctors' details, child health, dental health, allergies, medicines, and dietary requirements.
- Family financial information like bank details and entitlement to meals, transport and premium funding to manage catering, school trips etc.
- attendance like sessions attended, absences, absence reasons, previous schools attended.
- assessment & attainment like key stage 1 and phonics results and SAT results.
- behavioural information like behaviour management plans, exclusions & alternative educational provision.

Why we collect and use this information

We collect and use pupil information to run school and manage pupils under section 537A of the Education Act 1996, under Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013, and under the Education (Pupil Registration) (England) Regulations 2006; and for monitoring and research under section 83 of the Children Act 1989.

We use pupil data mainly to:

- a) support learning,
- b) monitor and report on progress and provide data for national league tables,
- c) provide appropriate pastoral care,
- d) assess the quality of what we do,
- e) keep children safe e.g. food allergies, emergency contact details, CCTV,
- f) meet the statutory duties placed upon us for the Department for Education (DfE) data collections,
- g) meet the statutory duty placed upon us to report infectious diseases e.g. supporting the Covid-19 test and trace system,
- h) to record our own school history.

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information are:

- 6(1)(e) to perform a task carried out in the public interest i.e. provide education.
- 6(1)(b) to enter into or carry out a contract e.g. provide meals, trips, transport, uniform, professional photos, childcare.

6(1)(c) to comply with the law e.g. recording attendance, publishing results, data sharing with child protection partners like social care, the NHS and the Local Authority etc.

6(1)(a) having your consent e.g. using images and names publicly.

When we process sensitive personal data like medical information we rely on the lawful bases:

9(2)(h) to prevent medical problems, assess needs, and to support health & social care services e.g. Education Health & Care Plans (EHCP), records of medicine administration.

9(2)(i) to improve public health e.g. we are required to report infections, like meningitis, Covid-19 or e-Coli, to local and national government departments;

9(2)(f) to defend a legal claim against us e.g. some special educational needs and all accident records etc.

This list is not exhaustive. For more information about the categories of information we process please see the school's Data Protection Policy which is published on our website.

Collecting pupil data

We collect pupil information via registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from a previous school.

Most of the pupil information we ask for is required by law or necessary so we can do our job and some of it is voluntary. To comply with data protection legislation, if you have a choice about providing information, we will tell you when we ask for it.

Storing pupil data

We hold pupil data securely in line with the Information and Records Management Society (IRMS) Records Management Toolkit for Schools (Rev 2019). For more information on our data retention schedule and how we keep your data safe, please visit <https://www.burlingtonschool.org.uk/about/school-policies/>

Who we share pupil information with and why

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. The laws listed above that require us to collect information also require us to share it.

We share pupil information with:

- Schools pupils go to after leaving us to support their continuing education.
- Child development and protection partners like Cumbria County Council Children's Services, Public Health, Inclusion & Social Care etc. to check attendance, monitor and protect children; the NHS for medical referrals & support; private companies offering counselling and other family or support services.
- The DfE to help decide our school funding, monitor attainment & benchmark it nationally, compile league tables, develop national education policy and monitor it.
- Medical services like the school nurse or the NHS for things like screening, vaccinations, health/ eye/ dental checks, EHCP provision etc. and Public Health England about certain contagious infections our pupils come into contact with.
- Public Health England and, to support Covid-19 testing, tracking and tracing (or any similar public health emergency action), partners like the NHS, Local Authority Public health and District Council Environmental Health Departments;
- Voluntary and charitable organisations (with your permission only), such as Barnardo's, our local Foodbank and similar organisations who can offer families practical help and support.

Department for Education (DfE)

The DfE collects personal data from educational settings and local authorities via various statutory data collections. The law requires us to share information about our pupils with the DfE either directly or via our

local authority for the purpose of those data collections, under Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see the section on 'How Government uses your data' below.

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, please contact Mrs Elizabeth Thompson, School Business Manager.

You also have the right to:

- ask us for access to information about you that we hold
- have your personal data rectified, if it is inaccurate or incomplete
- request the deletion or removal of personal data where there is no compelling reason for its continued processing
- restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint 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/>.

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice below.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting Mrs Elizabeth Thompson, School Business Manager.

Last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated on **23rd September 2020**.

Contact

If you would like to discuss anything in this privacy notice, please contact: Mrs Sarah Powell, Headteacher

How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).

- supports ‘longer term’ research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

Data collection requirements

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

The National Pupil Database (NPD)

Much of the data about pupils in England is held in the National Pupil Database (NPD).

The NPD is owned and managed by the DfE 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.

To find out more about the NPD, go to www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information.

Sharing by the DfE

The law allows the DfE to share pupils’ personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the DfE’s NPD data sharing process, please visit: www.gov.uk/data-protection-how-we-collect-and-share-research-data

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the DfE has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfе-external-data-shares>

How to find out what personal information the DfE holds about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the DfE:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they’re holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the DfE, please make a ‘subject access request’ to them. Find out how in the DfE’s personal information charter published at: www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

To contact the DfE go to: www.gov.uk/contact-dfe.