

Mickleover Primary School

Privacy Notice (How we use children and young person's information)

Who we are?

- ✓ **Mickleover Primary School**
- ✓ **We are a Local Authority maintained school**
- ✓ **Our Data Protection contact is Mrs L Powell, School Business Manager, Mickleover Primary School, Vicarage Road, Mickleover, Derby, DE3 0EY_ admin@mickleover.derby.sch.uk**

The categories of information that we collect, process, hold and share include:

- ✓ personal information (such as full name, unique pupil number/unique learner number, address and telephone numbers)
- ✓ characteristics (such as ethnicity, language, free school meal eligibility, looked after/care leaver and refugee/asylum seeker)
- ✓ national curriculum assessment results
- ✓ attendance information (such as exclusions)
- ✓ special education needs
- ✓ any relevant medical information
- ✓ information for our Breakfast and Afterschool Club (if appropriate)
- ✓ where pupils go after they leave us

Why we collect and use this information

We use children and young person's data to:

- ✓ enable us to carry out specific functions for which we are responsible
- ✓ derive statistics which inform decisions such as the funding of schools
- ✓ assess performance and to set targets for schools
- ✓ provide appropriate pastoral care and
- ✓ assess the quality of our services
- ✓ to administer and run our Breakfast and Afterschool Club (if relevant)

The lawful basis on which we use this information

We collect and use this information in line with our legal obligations or to carry out public tasks under:

- ✓ Education Act 2002
- ✓ Education Act 2011
- ✓ Equality Act 2010

- ✓ Education (Governors' Annual Reports) (England) (Amendment) Regulations 2002.
- ✓ Special Educational Needs and Disability Act 2001
- ✓ Health & Safety of Pupils on Educational Visits 1998
- ✓ Safeguarding Vulnerable Groups Act 2006
- ✓ Disability Discrimination Act(s)
- ✓ The Education Act 1944, 1996, 2002
- ✓ The Education & Adoption Act 2016
- ✓ The Education (Information About Individual Pupils) (England) Regulations 2013
- ✓ The Education and Skills Act 2008
- ✓ The Education (Pupil Registration) (England) Regulations 2006
- ✓ Statutory Guidance for Local Authorities in England to Identify Children Not Receiving Education – February 2007)
- ✓ The Education and Inspections Act 2006
- ✓ The Children Act 1989, 2004
- ✓ The Childcare Act 2006
- ✓ The Children & Families Act 2014
- ✓ Local Safeguarding Children Boards Regulations 2006 (SI 2006/90)
- ✓ The Localism Act 2011 Contract (traded services)

If we require consent from you we will explicitly ask for this at the point of data collection.

Collecting this information

Whilst the majority of children and young person's information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

Storing this information

We keep and dispose of all records in line [Information and Records Management Society Retention Guidelines for Schools](#). We comply with the relevant Data Protection legislation.

Who we share this information with

We routinely share children and young person's information with:

- ✓ the Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.
- ✓ Ofsted - Her Majesty's Inspectors (HMI) carry out the inspections under section 136 of the Education and Inspections Act 2006, to help inspectors evaluate the work of schools and assist schools in their self-evaluation. Ofsted also uses information about the views of children and young people to inform children's services inspections.
- ✓ schools, including academy chains/federations/multi academy trusts
- ✓ *Judicial Agencies e.g. Courts*

- *Police*
- *Department for Education and their agencies*
- *Children's Social Care*
- *Early Help services*
- *Safeguarding Boards*
- *Probation*
- *Health Agencies*
- *Speech and language therapists*
- *Specialist teachers*
- *Education Providers including early years providers, pre- and post-16*
- *Substance Misuse Teams*
- *Derby City Council and Other Local Authorities*
- *Education Providers*
- *Youth offending Service*
- *Pupil Referral Units*
- *School Transport Operators*
- *Other Youth Offending Teams*
- *Local Businesses offering work experience, educational opportunities*
- *Qualification awarding bodies*
- *Contractors providing education and IT services*
- *Online payment and booking system*
- *Electronic communication system*
- *Breakfast and Afterschool Club management system (if relevant)*
- *Funding bodies*

Education and training

We hold information about young people living in our area, including about their education and training history. This is to support the provision of their education up to the age of 20 (and beyond this age for those with a special educational need or disability). Under parts 1 and 2 of the Education and Skills Act 2008, education institutions and other public bodies (including the Department for Education (DfE), police, probation and health services) may pass information to us to help us to support these provisions.

Why we share this information

We share children and young person's data with the Department for Education (DfE) on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. This data sharing underpins school funding, educational attainment policy and monitoring and enables them to; produce statistics, assess our performance, determine the destinations of young people after they have left school or college and to evaluate Government funded programmes.

We do not share information about children and young people without consent unless the law and our policies allow us to do so.

What are your rights in relation the personal data we process?

Access – you can request copies of any of your personal information that is held by the Council.

Rectification – you can ask us to correct any incorrect information.

Deletion – you can ask us to delete your personal information. The Council can refuse to delete information if we have a lawful reason to keep this.

Portability – you can ask us to transfer your personal data to different services or to you.

Right to object or restrict processing – you have the right to object to how your data is being used and how it is going to be used in the future.

Right to prevent automatic decisions – you have to challenge a decision that affects you has been automatic

Online services

If you are accessing online services and are under the age of 13, please get your parent/guardian's permission beforehand whenever you provide us with personal information.

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.

The law requires us to provide information about our pupils to the DfE as part of statutory data collections. Some of this information is then stored in the national pupil database (NPD). The legislation that requires 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:

<https://www.gov.uk/government/publications/national-pupil-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 held by their education provider, contact

Data Protection Officer;

J. A. Walker, Solicitor

14 Forsells End

Houghton on the Hill

Leicestershire

LE7 9HQ

info@jawalker.co.uk

Tel: 0333 772 9763

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/>

Further information

If you would like further information about this privacy notice, please contact:

Data Protection Contact – Mrs Leanne Powell, School Business Manager

By Post: Mickleover Primary School, Vicarage Road, Mickleover, Derby, DE3 0EY

By phone: 01332 514 052

By email: admin@mickleover.derby.sch.uk