



# Old Park Primary School and The Patch Day Nursery

## Privacy Notice

### Pupils and Families

#### Who processes your information?

Old Park Primary School and The Patch Day Nursery is the data controller of the personal information you provide to us. This means 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. Theresa Boddington, Headteacher acts as a representative for the school with regard to its data controller responsibilities; they can be contacted on 0121 526 2669 or [school.office@oldparkprimary.com](mailto:school.office@oldparkprimary.com)

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 requires the school to share your data. Where the school outsources data to a third party processor, the same data protection standards that Old Park Primary School and The Patch Day Nursery upholds are imposed on the processor.

SIPS Education is the Data Protection Officer. Their role is to oversee and monitor the school's data processing practices. This individual can be contacted on 0121 296 3000 or [enquiries@sipseducation.co.uk](mailto:enquiries@sipseducation.co.uk)

#### Why do we collect and use your information?

We use pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to work with agencies supporting pupil safeguarding
- to assess the quality of our services
- to comply with the law regarding data sharing
- to provide support for pupils with special learning needs or disabilities
- to comply with all statutory data returns to the DfE and their partner organisations
- to qualify the child is eligible of funding and to calculate funding
- to provide data to the local authority as required statute or by current contracts, service level agreements or data sharing agreements with the local authority

- to inform next educational providers and/or employers of relevant pupil performance and contextual information

Old Park Primary School and The Patch Day Nursery holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Education Act 2002 Section 33
- Education Act 1996
- Children and Families Act 2014 (SEND Reforms)
- Childcare Act 2006
- The Early Years and Foundation Stage Order 2007
- The Education and Skills Act 2008
- The Apprenticeship, Skills, Children and Learning Act 2009
- Equality Act 2010
- Children Act 1989
- Adoption and Children Act 2002
- Children and Young Persons Acts 1963 (Regs 1968)
- Education (Governors Annual Reports – England) (Amendment) Regulations 2002 SI 2002 No 1171
- School Standards and Framework Act 1998 and Academies Act 2010
- Schools Admissions Code Statutory Guidance for admission authorities, governing bodies, local authorities, school adjudicators and admission appeals panels December 2014
- Schools Admission Appeals Code February 2012 Statutory guidance for school leaders, governing bodies and local authorities.
- School attendance: Department advice for maintained schools, academies, independent schools and local authorities November 2016
- Statutory Framework for the Early Years Foundation Stage 2017
- DBS Update Service Guide June 2014
- Keeping Children Safe In Education – Statutory Guidance April 2018
- 'Working Together to Safeguard Children' - A guide to interagency working to safeguard children – April 2018
- An employer's right to work checks (Home Office May 2015)
- Limitation Act 1980 (section 2)
- Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social security administration Act 1992 Section 8. Limitation Act 1980
- COSHH Regulations 2002. SI 2002 No 2677 Regulation 11; Records kept under the 1994 and 1999 Regulations to be kept as if the 2002 Regulations had not been made. Regulation 18
- Control of asbestos at work regulations 2012 SI 1012 No. 632 Regulation 19
- The Education (Pupil Information) (England) Regulations 2005 SI 2005 No 1437
- Education Act 1996. Special Educational Needs and Disability Act 2001 Section 1.
- Outdoor Education Advisers Panel National Guidance Section 3 – Legal Framework and Employer Systems and Section 4 – Good Practice
- Health and Safety at Work Act 1974

The submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under Section 537A of the Education Act 1996. This means that schools do not need to obtain parental or pupil consent to the provision of information and ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils.

## Which data is collected?

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

- Personal information (such as name, date of birth, unique pupil number and address)
- Safeguarding concerns
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility, INA status – Asylum Seeker, Refugee, Economic Migrant, Looked After Child, Adopted and SGO children)
- Relevant medical information
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information relating to academic progress, pupil attainment and educational performance in general
- Special Educational Needs or Disabilities information
- Behavioural information including exclusions
- Information from Early Years providers
- Parent/Carer information (such as name, address, contact details)

Whilst the majority of the personal data you provide to 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 with regards to the reasons the data is being collected and how the data will be used.

## How long is your data stored for?

Personal data relating to pupils at Old Park Primary and The Patch Day Nursery and their families is stored in line with the school's Data Protection and Retention Policies.

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

## Why we share pupil information

Old Park Primary School and The Patch Day Nursery will not share your personal information with any third parties without your consent, unless the law allows us to do so.

We share pupils' data with the Department for Education on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We share pupils' data with the local authority to allow them to carry out statutory duties including the identification of children missing education, and to ensure that all pupils get a suitable education in line with sections 436A and 437 of the Education Act 1996. The local authority also has responsibilities around the identification of pupils with special educational needs as identified in section 22 of the Children and Families Act 2014.

We also share pupil's data with the Local Authority for the purposes of comparative data analysis and to enable the provision of services by the Local Authority as defined in the current contracts, Service Level Agreements or data sharing agreements.

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.

The school routinely shares pupils' information with the following third parties:

- Google, provider of our computing technology for teaching and learning.
- 2Simple, provider of online learning tools.
- MyMaths, provider of online learning tools.
- Pupils' destination upon leaving the school.
- The NHS
- GL Assessment to complete our Pupil Attitude to School and Self Survey.
- Family, The Patch Day Nursery's cloud-based Management Software.
- Dolce Catering, our catering provider.

We share the following information with these providers.

- Google - Names, Class, Parent email address, assessment and progress information.
- 2Simple - Names, Class, Parent email address, assessment and progress information.
- MyMaths - Names, Class, assessment and progress information.
- Pupil's destination upon leaving school - Pupil's educational and pastoral record to date.
- The NHS - Names, Class, Date of Birth.
- GL Assessment - Names, Date of Birth, Class, Year Group. Results of questions and analysis.
- Family - Children's Names, Date of Birth, Address, Parent's names, addresses, telephone numbers, email addresses, Children's dietary requirements, health conditions, assessment and progress information. Photographs. Permissions. Attendance. Meals taken. Care routines.
- Dolce Catering, Name of child, email address, home address, free school meal information, dietary requirements and preferences.

Parents are able to request that only their child's name, address and date of birth are passed to their LA or name of provider of youth support services, by informing The Headteacher by email or letter. Once pupils reach 16 years of age, this right is transferred to them, rather than their parents. For more information regarding services for young people, please visit our LA's website: [http://www.sandwell.gov.uk/info/200295/schools\\_and\\_learning](http://www.sandwell.gov.uk/info/200295/schools_and_learning)

## National Pupil Database

The NPD is owned and managed by the Department of Education and contains information about pupils 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 the 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 please visit

<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 the 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 of 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-request-received>

To contact DfE : <https://www.gov.uk/contact-dfe>

## What are your rights?

Parents and pupils have the following rights in relation to the processing of their personal data.

You have the right to:

- Be informed about how Old Park Primary School and The Patch Day Nursery uses your personal data.
- Request access to the personal data that name of 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.

If you have a concern about the way name of school and/or the DfE is collecting or using your personal data, you can raise a concern with the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.

## Where can you find out more information?

If you would like to find out more information about how we and/or the DfE collect, use and store your personal data, please visit our website <http://www.oldparkprimary.com> or refer to our Data Protection Policy.