



Devonshire Primary Academy Privacy Notice Policy



Adopted by Governors/HT:
Review period: Annually
Last review date: Nov 2020
Person responsible for policy: HT/BM

GDPR

Devonshire Primary Academy ('the Academy') is required by law to collect and process personal data relating to all of its pupils. The Academy is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

This privacy notice provides you with information about how we collect and process personal data of our pupils and their parents in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

Who are we?

Devonshire Primary Academy is part of The Sea View Trust – a multi-academy trust incorporating a number of different schools and academies. This privacy notice has been issued on behalf of The Sea View Trust. When we refer to "we", "us", "our" or "the Academy" within this privacy notice, we are referring to Devonshire Primary Academy which is part of The Sea View Trust. The Sea View Trust is the 'data controller' for the purposes of data protection law.

The Sea View Trust has appointed a Data Protection Officer who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the DPO using the details set out below.

What data do we collect?

The Academy collects and processes a wide range of information about your child. This includes:

- Personal information such as their name, date of birth, unique pupil number and address;
- Characteristics such as their ethnicity, language, country of birth and free school meal eligibility;
- Attendance information such as the number of sessions they have attended, the number of absences and the reasons for those absences;
- Assessment information such as their current pupil progress, their predicted progress and where appropriate data relating to any assessments, tests or exams they have undertaken;
- Relevant medical information including any conditions or allergies your child may have, the need for epi-pens/medication, emergency contact and doctor's details;
- Special educational needs information. This includes information about any particular needs that your child has, any funding that is received specifically for your child and any statements of individual need;
- Behavioural information, which may include information about your child's general classroom behaviour including any awards gained, together with any detentions fixed-term or permanent exclusions they have received;
- Pastoral information, including notes on any home visits undertaken;
- Safeguarding information.
- Photographs.
- CCTV images.

Why do we collect and use this information?

The Academy uses this data to:

- Support pupil learning.
- Monitor and report on pupil progress, enabling suitable interventions to be put in place where required.
- Provide appropriate pastoral care and ensure your child has access to appropriate support.
- Assess the quality of our services.
- Comply with the law regarding data sharing.

Lawful basis on which we use this information:

We collect and use pupil information under Article 6 of the GDPR as follows:

1. Consent – the individual has given clear consent for the academy to process their child's personal data for a specific purpose.
2. Legal obligation – the collection and use of this information is necessary for the Academy to comply with the law – i.e. to send pupil census information to the Department of Education (DfE) on a twice-yearly basis as directed by the Education Act 1996.
3. Vital interests – the collection and use of this information is necessary to safeguard our pupils. For example, personal information can be passed on to a hospital should a pupil become ill at school.
4. Public task – the processing of such data is necessary for the academy to carry out its official functions.

Lawful basis for more sensitive information

"Special categories" of particularly sensitive personal information, such as information about pupil health, disability, racial or ethnic origin or sexual orientation, require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such information. We may collect and use more sensitive pupil information under Article 9 of the GDPR as follows:

1. In limited circumstances, with the individual's explicit consent for the Academy to process their child's special category information.
2. Where it is needed in the public interest, such as for equal opportunities monitoring, safeguarding of children or for the prevention or detection of crime.

Collecting Pupil Information:

Whilst the majority of the pupil information you provide to us is required by law, some of it is provided to us on a voluntary basis. In order to comply with the GDPR, when requesting

information, 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 for the duration your child is at the Academy. If/When your child transfers to an alternative school, their file will transfer with them; a copy will not be held in the Academy. If your child leaves Devonshire Primary Academy at the end of their school career, the files are stored in line with our Retention Policy.

Who do we share pupil information with?

We routinely share pupil information with:

- Schools that your child attends after leaving us
- Blackpool Local Authority
- The Department of Education
- Sea View Trust
- Devonshire Primary Academy works in partnership with the University of Cumbria, and Schools Direct and therefore student teachers working within the school will be working with and have access to pupil data. All student teachers work under the same policies as all other members of staff at Devonshire Primary Academy.

Why do 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 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 the DfE under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013. To find out more about the data collection requirements placed on us by the Department for Education, for example the obligation on us to complete and return 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 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 DfE. 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 collections such as the school census and early year's 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 NPS, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

The DfE 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 and guidance

The DfE 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 purposes 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 data.

For more information about the DfE's data sharing process, please

visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

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 to be given access to your child's educational record, contact Mrs S Drummond, Business Manager – 01253 478271.

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 data protection law.

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/>

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Where the processing of data is based on your consent you have the right to withdraw that consent at any time by notifying the Academy office in writing.

Contact

If you would like to discuss anything contained within the Privacy Notice, please email dataprotectionofficer@forbessolicitors.co.uk