



## **Greenfield Primary School** **May 2018**



### ***Privacy Notice: how we use pupil information***

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

We, Greenfield Primary School, are the data controller for the purposes of Data Protection Law. We collect and use pupil information under the following Acts of Parliament and associated legislation: The Education Act, amendments and accompanying regulations – for example, Section 537A of the 1996 Act enables the education setting to collect information to perform the Department of Education's termly census.

Section 40(2)(a) of the Childcare Act 2006 - Early Years Foundation Stage and Section 87 of the Education Act 2002 - Key Stage 1 and Key Stage 2, enables primary age education settings to collect information for the assessing and reporting of the national curriculum

There are various versions of the Education Act both proceeding and following the 1996 Act that have influence on what information is required and how it is processed such as: The Education Reform Act 1988, Further and Higher Education Act 1992, Education Act 1994, School Standards and Framework Act 1998, Teaching and Higher Education Act 1998, Education Act 2002, Higher Education Act 2004, Education Act 2005, Education and Inspection Act 2006 and Education Act 2011, The Education (Pupil Information) England Regulations 2005 and associated regulations and statutory instruments.

Where appropriate we also rely on:

- The Children Act and subsequent amendments
- The Common Law Duty of Care
- Health and Safety at Work Act
- Working together to Safeguard Children Guidelines (DfE)
- Equality Act 2010
- The Disability Discrimination Act,
- Special Educational Needs (SEN) Code of Practice
- Safeguarding Vulnerable Groups Act
- Limitation Act 1980

We use the pupil data to:

- support pupil learning
- monitor and report on pupil progress
- provide appropriate pastoral care
- ensure safeguarding
- assess the quality of our services
- comply with the law regarding data sharing
- contact parents and carers

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

- Personal information (such as name, unique pupil number, contact details and address, relevant medical information)
- Characteristics (such as ethnicity, language, nationality, gender, religion, date of birth, country of birth, free school meal eligibility, special educational needs and disability)
- Attendance information (such as sessions attended, number of absences and absence reasons, National Curriculum assessment results, any exclusion information, where they go after they leave us).
- Assessment information (such as EYFS, Phonics, Key Stage or internal academic assessment information)
- Behavioural information (including exclusions)

For a further example of the information typically held by schools, please see the Department for Education (DfE) Common Basic Data Set, here:

<https://www.gov.uk/government/publications/common-basic-data-set-cbds-database>

**Collecting pupil information**

## Privacy Notice

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 consent is needed. Where consent is required, the school will provide you with specific and explicit information explaining the reasons why the data is being collected and how it will be used.

We intend to collect consent to process information for:

- Educational activities, visits and residentials
- First aid and urgent medical treatment
- Photographs – use in school, in publications and on our website

Please note, you have a right to withdraw consent at any time and can contact the school to do this.

If you provide us with contact details of others, for example, in case of emergency or when you may not be available, please ensure that they are aware their information has been passed to the school.

We will also receive the above types of personal information, where relevant, from the previous school or Early Years Setting and may also receive information from the Local Authority (LA) and the DfE.

### Storing pupil data

The information we collect, use and store about pupils and their parents/carers is retained on our computer systems and in paper files, either until it is updated/superseded or until the pupil leaves the school, when it will be passed on to the receiving school in accordance with the Education (Pupil Information) England Regulations 2005. Records are retained by a secondary school for the period of 25 years from the date of birth of the child. Further information on how long schools retain information can be seen in the Information Records Management Society Toolkit for schools available at this link: [School records retention periods](#)

### Who do we share pupil information with?

We routinely share pupil information with:

- Relevant staff within the school
- Schools that the pupil's attend after leaving us
- Our Local Authority
- The Department for Education (DfE)
- Health Services, including NHS, School Nurse, Visual and Hearing Impairment Teams
- Speech & Language Service
- Autism Outreach
- Learning Support Service
- Education Investigation Service
- Dudley Educational Psychology Service
- Social Care services, including MASH, Early Help
- Dr Emily Williams (Educational Psychology for All)
- Services used by DGfL:
  - E-Safe Monitoring Service
  - Micro Librarian Systems
  - Microsoft Online Services – Microsoft Office 365
  - ParentMail
  - RM Education

The School uses information about children for whom it provides services, to enable it to carry out specific functions for which it is responsible, below are a list of services used by the school where sharing pupil data is needed.

### e-Safe Monitoring Service

The e-Safe monitoring service uses the school ICT environment as a source of behaviour markers to provide early warning of safeguarding risk. The software is installed on all school owned devices that use the school computer network. The school may choose to install this software on

## Privacy Notice

school owned portable devices that can be used both inside and outside of the educational establishment. The software will continue to monitor activity on the device irrespective of location e.g. if the school owned device is used on a home computer network, the device will continue to monitor that device's activity.

Using the markers, the specialist team at e-Safe can identify issues and escalate them appropriately to nominated safeguarding and pastoral care staff within school, for intervention.

For further information please refer to the [e-Safe Education](#) website.

If you are unable to access the website, the postal address is:

e-safe Education, Salford Innovation Forum, 51 Frederick Road, Salford, M6 6FP

### **Just2easy**

J2E is an online creativity tool designed for education. It provides access to a range of on-line tools and resources for pupils and teachers. Access to the J2E resources is through the school's learning platform provided by RM Education.

For further information, please refer to the [Just2easy](#) website.

If you are unable to access the website the postal address is:

Just2easy Limited, Digital House, Stourport Road, Kidderminster, DY11 7QH.

### **Micro Librarian Systems**

MLS provides a self service library management system promoting reading and information culture, motivating independent readers and learners for life whilst developing ICT skills. MLS Connect provides a tool to quickly update the library information directly from the school administration system in one smooth process, establishing a dynamic read-only link that can update pupil and staff details including photos and email addresses etc instantly.

For further information, please refer to the [mls](#) website.

If you are unable to access the website the postal address is:

Micro Librarian Systems, Arden House, Shepley Lane, Hawk Green, Marple, Stockport, Cheshire, SK6 7JW

### **Microsoft Online Services – Microsoft Office 365**

Microsoft Office 365 is a cloud productivity suite free to establishments in UK education. It provides pupils, teachers, and staff with enterprise-grade communication and productivity services which include email, online document editing and storage space.

For further information, please refer to the Microsoft website:

What Microsoft does with customer data:

<http://www.microsoft.com/online/legal/v2/?docid=23&langid=en-GB>

If you are unable to access the website the postal address is:

Office 365, Microsoft Corporation, Microsoft Way, Redmond, Washington, 98052-6399 USA

For Europe please contact:

Microsoft Ireland Operations Limited is our data protection representative for the European Economic Area and Switzerland. The data protection officer of Microsoft Ireland Operations Limited can be reached at the following address:

Microsoft Ireland Operations, Ltd.

Attn: Data Protection

Carmenhall Road

Sandyford, Dublin 18, Ireland

### **ParentMail**

Provides a range of Applications to help schools improve communications with parents. This includes receiving information, booking parents evenings or making payments for school clubs etc.

For further information, please refer to the [Parentmail](#) website.

If you are unable to access the website the postal address is:

ParentMail, Litton House, Saville Road, Peterborough PE3 7PR

Tel: 0844 356 0000 Fax: 0844 356 0001

## Privacy Notice

### **Purple Mash**

Purple Mash provides a range of on-line creative tools, curriculum focused applications and resources to support and inspire pupils and teachers throughout the curriculum. They are hosted completely online and are web browser driven. Access to the Purple Mash resources is through the school's learning platform provided by RM Education.

For further information, please refer to the [Purple Mash](#) website.

If you are unable to access the website the postal address is:

2Simple Software • Enterprise House, 2 The Crest, Hendon, London NW4 2HN

Tel: +44(0) 20 8203 1781

### **RM Education**

Dudley schools receive a number of services delivered through the ICT managed service provided by RM Education plc (RM). These arrangements are overseen on behalf of schools who have signed up to the service by Dudley Grid for Learning (DGfL) - a Division of the Directorate of Children's Services (DCS), for Dudley Local Authority.

A number of Data Processing agreements in place with RM, covering services such as RM's school management information system and RM Unify. These systems make some use of personal data which is held away from school at secure data centres with the RM group.

For further information, please refer to the [RM Education](#) website.

If you are unable to access the website the postal address is:

RM Education, 140 Eastern Avenue, Milton Park, Abingdon, Oxon OX14 4SB

RM Education Ltd is a subsidiary of RM plc

### **Times Tables Rockstars**

Times Tables Rockstars provides online times tables practice for pupils and an overview for teachers. They are hosted completely online and are web browser driven. Access to Times Tables Rockstars resources is through the school's learning platform. For further information, please refer to the [Times Tables Rockstars](#) website.

If you are unable to access the website the postal address is: Maths Circle Ltd, Ossory Offices, Hazelwood Lane, Ampthill, MK45 2HF

Data Protection law states that, if consent is your basis for processing the child's personal data, a child under the age of 13 can't give that consent themselves and instead consent is required from a person holding 'parental responsibility'.

'Information society services' includes most internet services provided at the user's request, normally for remuneration. The GDPR emphasises that protection is particularly significant where children's personal information is used for the purposes of marketing and creating online profiles. Parental/guardian consent is not required where the processing is related to preventative or counselling services offered directly to a child.

We are committed to working with the local authority in protecting and safeguarding children and young people in the Borough. As a consequence we intend, where relevant to do so, share information with the Multi-Agency Safeguarding Hub (MASH) which is a co-located arrangement of agencies including the local authority, Police, NHS Trusts and Probation Service integrated into a multi-agency team.

The Multi-Agency Safeguarding Hub shares information appropriately and securely on children or young people in order to take timely and appropriate actions. The teams also provide information and advice across a range of child and family services.

Where a pupil/parent/carer has been involved in an accident, an Accident/Incident Report Form will be completed, which will include details of the accident including information about you. This information will be passed to the Corporate Health and Safety Team at the local authority. This information will be accessed by Dudley MBC employees, who legally require access to this data, for purposes related to this incident, and may be shared with others to allow us to comply with our statutory duties.

## Privacy Notice

### 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.

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.

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.

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 (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.

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:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

## Privacy Notice

### 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 our Data Protection Officer.

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, 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/>

### Contact

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer at:

YourIG Data Protection Officer Service

Dudley MBC

The Council House

Dudley

West Midlands

DY1 1HF

Email: [YourIGDPOService@dudley.gov.uk](mailto:YourIGDPOService@dudley.gov.uk)

Tel: 01384 815607