



## **Privacy Notice (How we use children in need and children looked after information)**

### **Data Protection Act 1998 Data Protection Act 1998 (DPA) and the General Data Protection Regulation (GDPR)**

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils**.

We, Chorley New Road Primary School, are the 'data controller' for the purposes of data protection law.

### **How we use pupil information**

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

- personal information (such as name, date of birth and address)
- characteristics (such as gender, ethnicity and disability)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- SEN information
- Multi-Agency involvement information
- Relevant medical information
- National Curriculum Assessments/results
- Individual Assessment Data
- Exclusion / Behaviour Information
- School they attend after they leave us
- CCTV/photographs
- information relating to episodes of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection information and Child Protection Plan information)
- episodes of being looked after (such as important dates, information on placements)

- outcomes for looked after children (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending)
- adoptions (such as dates of key court orders and decisions)
- care leavers (such as their activity and what type of accommodation they have)

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

### **Why we collect and use this information**

We collect and hold personal information relating to our pupils and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE).

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to protect pupil welfare

### **The lawful basis on which we use this information**

Chorley New Road 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:

- Article 6 of the GDPR
  - (a) Consent, (c) Legal obligation, (d) Vital interests, (e) Public task
- Article 9 of the GDPR
  - Condition A
- Education Act 1996
- Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013

Less commonly, we may also process pupils' personal data in situations where we have obtained consent to use it in a certain way. Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

### **Collecting this information**

Whilst the majority of children looked after 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**

Personal data relating to pupils at Chorley New Road Primary and their families is stored in line with the school's GDPR Data Protection Policy.

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 the data was collected for originally. Our Information Management Policy sets out how long we keep information about pupils. A copy of this policy is available school website at [www.cnr.bolton.sch.uk](http://www.cnr.bolton.sch.uk)

### **Who we share this information with**

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

Where it is legally required or necessary (and it complies with data protection law) we may share personal information about pupils with:

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)
- School to school networks
- Relevant NHS staff including school nurse, Physiotherapists, SALT, Occupational Therapists, Audiology, Deaf CAMHS, Cochlear Implant Teams etc
- Police forces, courts, tribunals

### **Why we share this information**

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 go to:

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Children looked after: <https://www.gov.uk/guidance/children-looked-after-return>

Children in need: <https://www.gov.uk/guidance/children-in-need-census>

## 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.

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 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> Chorley New Road Primary School – Updated 4<sup>th</sup> February 2018 personal information contact

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

### **Parents and pupils' rights regarding personal data**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. 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/>

### **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 – this is known as a “subject access request”. You are entitled to submit subject access requests all year round, but please bear in mind that it may be necessary for us to extend the response period when requests are submitted over the summer holidays. This is in accordance with article 12(3) of the GDPR, and will be the case where the request is complex – for example, where we need multiple staff to collect the data.

To make a request for your personal information, or be given access to your child's educational record, contact

Linda Burrows- Headteacher office@cnr.bolton.sch.uk

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/>

## **Contact**

If you would like to discuss anything in this privacy notice, please contact:

### **Data Protection Officer**

**Gill Smith**

**Gill.beechfield@uwclub.net**