



# Hendre Junior School



## **HENDRE JUNIOR SCHOOL PRIVACY NOTICE** *(HOW WE USE PUPIL INFORMATION)*

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, Hendre Junior School, St Cenydd Road, Caerphilly, CF83 2RP, are the 'data controller' for the purposes of data protection law.

The responsible person for Data Protection is Mr J. M. Farmer, Headteacher.

### **THE CATEGORIES OF PUPIL INFORMATION THAT WE COLLECT, HOLD AND SHARE INCLUDE:**

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Contact details, contact preferences, date of birth, identification documents
- Assessment information (such as results of internal assessments and externally set tests)
- Pupil and curricular records
- Exclusion information
- Special Educational Needs information
- Details of any medical conditions, including physical and mental health
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

### **WHY WE COLLECT AND USE THIS INFORMATION**

#### **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

### **THE LAWFUL BASIS ON WHICH WE USE THIS INFORMATION**



# Hendre Junior School



## **PURPOSE OF PROCESSING**

Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.

We collect and use pupil information under 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](#).

Putting the school census on a statutory basis:

- means that schools do not need to obtain parental or pupil consent to the provision of information
- ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils
- helps to ensure that returns are completed by schools

And includes a basis from Article 6, and one from Article 9 where data processed is special category data from the GDPR-from 25 May 2018

## **LEGAL BASIS FOR PROCESSING**

Processing is necessary for compliance with a legal obligation to which the controller is subject to the below requirements.

## **STATUTORY REQUIREMENT**

In order for the processing of personal data to be lawful under the General Data Protection Regulations 2016, a valid condition from Article 6 of the Regulations must be identified, which is outlined below:

Article 6(1) of the GDPR (lawfulness of processing), the reference in point (e) to processing of personal data that is necessary for the performance of a task carried out in the public interest or in the exercise of the controller's official authority includes processing of personal data that is necessary for -

- (a) the administration of justice,
- (b) the exercise of a function of either House of Parliament,
- (c) the exercise of a function conferred on a person by an enactment or rule of law,
- (d) the exercise of a function of the Crown, a Minister of the Crown or a government department, or
- (e) an activity that supports or promotes democratic engagement.



# Hendre Junior School



Data Protection legislation provides extra protection for certain classes of information called 'special personal data'. If any information falls within the definition of special personal data then an additional condition from Article 9 of the Regulations must be identified, as outlined below:

Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.

Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Data Protection legislation also provides extra protection for personal data in relation to criminal convictions and offences. If any personal data falls within this category then an additional condition from Article 10 of the Regulations must be identified.

We only collect and use pupils' personal data when the law allows us to.

Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

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.

## **THE RIGHT TO WITHDRAW CONSENT**

You have the right to withdraw your consent to the processing of this information. To withdraw your consent, please contact the Service Area whose details are contained on the top of this document.

## **COLLECTING PUPIL INFORMATION**

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 you have a choice in this.



# Hendre Junior School



## **STORING PUPIL DATA**

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our record retention schedule sets out how long we keep information about pupils.

A copy of our retention schedule is available upon request from school.

## **WHO WE SHARE PUPIL INFORMATION WITH**

We routinely share pupil information with the following 3<sup>rd</sup> parties:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE), Welsh Government
- School Nurse Team
- National Health Service (NHS)
- SIMs, tracking and monitoring of assessment information team.
- Taith 360, tracking and monitoring of assessment information team.
- HWB, Welsh Government Learning Platform.
- Reading Eggs learning platform.
- Purple Mash learning platform.
- Google Classroom
- Class Dojo
- GL Assessment
- Teachers2Parents SMS text messaging service.

## **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), Welsh Government 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), Welsh Government under section 3 of The Education (Information About Individual Pupils) (England & Wales) 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>.



# Hendre Junior School



## **THE NATIONAL PUPIL DATABASE (NPD)**

The NPD is owned and managed by the Department for Education, Welsh Government and contains information about pupils in schools in England and Wales. 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 and Welsh Government 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 & Wales) Regulations 2013.

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 and Wales 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, Welsh Government 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.

## **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 Mr J. M. Farmer, Headteacher.

**You also have the right to:**



# Hendre Junior School



- 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/>

## **CONTACT**

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

Mr J. M. Farmer, Headteacher / Data Protection Officer

*Reviewed: July 2024*