

GDPR – Brunswick School Privacy Notice Part A

(How we use *Pupil Information*)

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

- Personal information (such as name, d/o/b, unique pupil number and address);
- Parents and Carers' Emergency Contact Information;
- 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);
- Outcomes from curriculum assessments, both formative and summative;
- Medical information (such as allergies, specific issues or long term medical needs);
- Specific information relevant to trips or visits (such as medical details, next of kin; etc);
- Information about special educational needs, including information relevant to referrals to other agencies and the outcomes of such referrals, and information/advice/reports from other professionals/agencies involved in these;
- Photographs and videos of pupils taking part in school activities;
- Information about involvement in accidents/incidents;
- Safeguarding concerns and/or disclosures;
- Information about child protection arrangements;
- Copies of periodical pupil reports;
- Records of correspondence relating to an individual;
- Parents and carers' email addresses;
- Parent's NI details in relation to Nursery Childcare Eligibility and funding plans.

Why we collect and use this information

We use this data:

- to support pupils' teaching and learning;
- to celebrate success and share achievements with the school community;
- to monitor and report on pupil progress;
- to provide appropriate pastoral care;
- to assess the quality of our services;
- to be able to work with other agencies to meet pupil needs;
- to access additional funding streams to support our pupils;
- to be able to safeguard children under our care;
- to comply with the law regarding data we are required to report and/or share.

The lawful basis on which we use this information

We will only process personal data where we have one of 6 'lawful bases' (legal reasons) to do so under data protection law:

- a. The data needs to be processed so that the school can **fulfil a contract** with the individual, or the individual has asked the school to take specific steps before entering into a contract
- b. The data needs to be processed so that the school can **comply with a legal obligation**
- c. The data needs to be processed to ensure the **vital interests** of the individual e.g. to protect someone's life
- d. The data needs to be processed so that the school, as a public authority, can perform a task **in the public interest**, and carry out its official functions
- e. The data needs to be processed for the **legitimate interests** of the school or a third party (provided the individual's rights and freedoms are not overridden)

- f. The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent**

Some data may also be processed under each of these lawful bases, but the majority of data that is processed by the school will be collected and processed to fulfil our contractual and legal obligations under the Education Act 1996, and compliance with statutory frameworks relating to this (**Basis A & B**) and/or to facilitate our official function of providing education for primary aged children (**Basis D**).

Photographic/video data is only collected and processed where the individual (or their parent/carer) has freely given clear consent. (**Basis F**)

SPECIAL CATEGORIES OF DATA

For special categories of personal data, we will also meet one of the special category conditions for processing which are set out in the GDPR and Data Protection Act 2018.

In the majority of cases, this will be on the basis that 'processing is carried out in the course of legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects.' (*Basis F of Article 9*)

Collecting pupils' information

Whilst the majority of pupil information individuals 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.

Storing pupils' data

We will hold pupil data for the period that it remains relevant to the uses for which it was collected. Typically, this will mean that data will be held for the duration of the time that the pupil attends Brunswick School. However, some cohort data on progress and attainment data will be kept for three years to support the ofsted process.

Some data will be held for a short period for a specific purpose only for the duration of time that a pupil is part of a specific cohort e.g. a sports club.

Some data, including photographs representing the day-to-day work of the school, may be anonymised and/or archived if it is deemed that it may remain useful and relevant to the school's work in the future (e.g. photographs of curriculum activities; examples of named work; assessment data linked to a study of specific intervention impact). Archives will be reviewed periodically and irrelevant data will be destroyed.

Some data, such as accident records, is subject to statutory retention periods, and these will be adhered to. In all cases, guidance found in the [Information and Records Management Society's toolkit for schools](#) will be considered in determining a reasonable retention period.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupil attends after leaving us or where siblings are currently educated;
- our local authority;
- the Department for Education (DfE);
- Scholarpack – as providers of our MiS;
- the NHS (e.g. GP, Dentist, School nurse/optometrist services);
- providers of learning resources, providing the information collected is limited in scope ;
- the Local Safeguarding Board where concerns are raised about the safety of a child;
- Sports coaches, staff and other adults on school trips, visitors running specific activities for our pupils e.g. Forest Schools
- Other settings which our pupils are also educated at e.g. shared Nursery placements;

- Students and volunteers who are supporting our pupils at Brunswick School.

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.

Department of Education

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

Local Authority

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.

Scholarpack

Scholarpack are the providers of our cloud based Management of Information system. Pupil data is entered into this for all pupils, providing a centralised data store to enable the day-to-day management of this data as part of the operational work of the school and its staff. The MiS is a secure system, accessible only to active staff members, with varying levels of access to data.

The NHS

Various bodies within the NHS may access data to assist them in the delivery of national initiatives; typically they will access or request pupil contact details in order to request permission to collect further information direct from parents.

Providers of learning resources

In order to facilitate the provision and management of online resources, pupils often require an individual login and sharing of some data will be necessary to create these. *Typically, the data shared will be limited to pupil name and year group/date of birth; where further information is requested by the provider, consent will be requested if it is felt that sharing the data does not fall under the principles of Basis E.* A list of currently used resources will be published on the curriculum page of the school website.

Photographs/Video

Photographs and video may be used for various purposes: to illustrate pupil attainment and progress in their work; promote the work of the school to members of the wider school community e.g. parents and carers; to enhance the school website; within other promotional materials such as a prospectus. Photographs may also be displayed publically within the school and on the school website as part of displays. There will be occasions when photographs are taken of pupils that parents may purchase such as those taken by the school photographer, souvenirs of special events like the Christmas show and graduation. Special consent is sought from parents and carers on entry to the school and consent can be withdrawn at any time. Please see Appendix 3 of the Brunswick's Data Protection Policy.

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 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>

Requesting access to your personal data

Under data protection legislation, individuals have the right to request access to information about them that we hold.

Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent.

Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at our school may be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

To make a request for your personal information, or be given access to your child's educational record, contact **the Headteacher or Data Protection Officer**, using the appropriate SARS Request form **Appendix 2** from Brunswick's Data Protection Policy.

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, 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:

The Headteacher or Data Protection Officer