

Privacy Notice - Data Protection

Information about pupils in schools

We, Ludlow Junior School, are a data controller for the purposes of data protection. We collect information from you and may receive information about you from your previous setting or education provider, local authorities, the Department for Education (DfE) and the Learning Records Service (<https://www.gov.uk/government/publications/learning-records-service-the-plr-for-learners-and-parents>).

A great deal of the information we collect is included in the Pupil Registration Form, completed on your child's admission to the school which, when signed, gives us your permission to process the data. In addition, we may collect, use, store and share (when appropriate) the following, but is not restricted to:

- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

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

We use this data to:

- Meet our statutory duty to create and maintain an admission register under the Education (Pupil Registration) (England) Regulations 2006 and subsequent amendments, without which schools are unable to enrol a pupil.
- Support teaching and learning. In order to facilitate this, we may share information with the software supplier (listed at the end of this document) to set up the systems needed for pupils and parent/carers to access.
- Monitor and report on academic progress.
- Provide appropriate pastoral care (Keeping Children Safe in Education 2016).
- Assess how well we, as an education provider, are doing.
- Co-operate with Southampton City Council and external partners to improve the well-being of children, under the duty of the Children Act 2004. **Working Together to Safeguard Children (2015)**
- Share information with Southampton City Council and external partners to support the duty to safeguard and promote the welfare of children, under the Children Act 1989, Section 17. **Working Together to Safeguard Children (2015)**
- Share data with professionals commissioned by the school or working with a pupil such as the School Nurse or health services.
- Comply with our statutory duty under the Education (Pupil Information) (England) Regulations 2005 Statutory Instrument and subsequent amendments in The Education (Pupil Information) (England) (Amendment) 2008 to create a Common Transfer File when a child ceases to be registered at a school and becomes a registered pupil at another school in England or Wales. This would also apply to pupils who are dually registered at more than one school. If a Common Transfer File cannot be sent to a new school when a pupil leaves, one must be sent to the DfE Lost Pupil Database.
- Provide information via statutory census returns to the DfE and in turn this will be available for the use of Southampton City Council to carry out its official functions, or a task in the public interest. Further information can be found online at <https://www.gov.uk/government/publications/school-census-2016-to-2017-guide-for-schools-and-las>
- Send pupil information to Southampton City Council on a regular basis in accordance with our information sharing protocol to enable the local authority to meet its duty under data protection legislation to ensure that the data it holds is accurate and also to carry out its official functions, or a task, in the public interest.
- Notify Southampton City Council on a termly basis of all pupils on a reduced timetable so that the local authority can comply with statutory Ofsted requests for data at the time of inspection.

- Comply with the statutory requirements of the Education (Pupil Registration) (England) Regulations 2006 and subsequent amendments, notifying Southampton City Council if a child leaves the school and providing forwarding details. A failure to provide this information will result in pupils being recorded as a “Child Missing Education”, in accordance with the government definition.
- Provide attendance information to Southampton City Council so that its duties under the Anti-Social Behaviour Act 2003, Section 444 of the Education Act 1996 and Section 36 of the Children Act 1989 (Education Supervision Orders) can be met.
- Provide exclusion information to Southampton City Council so that its duty Under Section 19 of the Education Act 1996 can be met.
- Meet our duty to provide information about any exclusions within the last 12 months to the Secretary of State and (in the case of maintained schools and PRUs) the local authority, in accordance with The Education (Information About Individual Pupils) (England) Regulations 2006.

Schools will also provide and receive information as a result of school admissions processes; in-year admissions, coordinated admission schemes, mandatory Fair Access Protocols and as required under the admission policies of individual schools. This information is needed in order to accurately rank applicants so that places are offered to those who are entitled to them.

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.

Your information will not be used for any other purpose or shared with any other organisation unless provided for by law or covered in this Privacy Notice.

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. For information on how long the school will store the information collected please refer to the school Retention guidelines (*Information and Records Management Society’s toolkit for schools*).

Individuals have a right to make a ‘**subject access request**’ to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child’s data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

Please note the school Governors will outsource the role of DPO (Data Protection Officer) to a third party. Until this is confirmed please contact Simon Watkins Executive Head Teacher.

Should you have any concerns with how your data is being processed, the following steps should be taken:

- Step 1: Contact the school Data Protection Officer or Simon Watkins until the DPO is appointed
- Step 2: If concerns remain unresolved, follow the school Complaints procedure.
- Step 3: Contact the Information Commissioner's Office (www.ico.org.uk)

For further information on the circumstances under which you have the right to request access to, or rectification\erasure of, your personal data please visit the Information Commissioner's website.

Southampton City Council has a duty under the Children Act 2004 to co-operate with their partners in health and youth justice to improve the wellbeing of children in their area and will agree information sharing agreements with partners to enable them to carry out official functions, or a task in the public interest.

The DfE may also share pupil level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the data protection principles. Decisions on whether DfE releases this personal data to third parties are subject to a robust approval process and are 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 level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

For more information on how this sharing process works, please visit: <https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

For information on which third party organisations (and for which project) pupil level data has been provided to, please visit: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following websites:

- www.youngsouthampton.org/privacynotice.aspx and
- <http://media.education.gov.uk/assets/files/doc/w/what%20the%20department%20does%20with%20data%20on%20pupils%20and%20children.doc>
- <http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

- **Solicitor for Education:** Legal Services, Southampton City Council, Ground Floor, Civic Centre, SO14 7LY
- **Public Communications Unit:** Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT
Website: www.education.gov.uk
Email: www.education.gov.uk/help/contactus
Telephone: 0370 000 2288

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| School postal address | Ludlow Junior School, Peveril Road, Southampton, SO19 2DW |
| School e-mail address | info@ludlowjunior.org.uk |
| School telephone number | 023 8044 7885 |
| Software supplier | Mainly Microsoft and SIMS |