



## **Privacy Notice**

**(How we use children in need and children looked after 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)
- 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)
- SEN information (such as details of a child's specific needs and records of both internal and external meetings)
- medical information (such as allergies, dietary requirements and medical conditions)
- behavioural information (such as exclusions)

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

We use this personal data to:

- support these children and monitor their progress
- provide them with pastoral care
- assess the quality of our standards
- evaluate and improve our policies on children's social care
- support medical needs
- to comply with the law regarding data sharing

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

Kirk Ella St Andrew's Primary School is acting in the public interest when providing an education. We collect and use information about children in care as we have a legal obligation under the Education Act 1996 and Regulation 5 of The Education (information about individual pupils) (England) Regulations 2013.

Processing of special categories of personal data is necessary for reasons of substantial public interest, for example data collection by the DFE under the Education act 1996; this information can be found in the census guide documents on the following website <https://www.gov.uk/education/data-collection-and-censuses-for-schools>]

Where information on children in care is held with consent (for example photos) this will be made clear and consent can be withdrawn at any point.

Our lawful basis for processing is therefore based on law or consent.

## **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 is stored securely in line with the schools Data Protection policy and retention schedules.

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

We routinely share this information with:

- the Department for Education (DfE)
- NHS (for example school nurse or other medical provider's)
- local authority's (including their outsourced provider's)
- support services
- other school's if/when the child moves (including secondary school)
- police
- any third party supplier (for example Mathletics)

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

**Department for Education (DfE)** - We share children in need and children looked after data with the Department on a statutory basis, under Section 83 of 1989 Children's Act, Section 7 of the Young People's Act 2008 and also under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

This data sharing helps to develop national policies, manage local authority performance, administer and allocate funding and identify and encourage good practice.

We do not share information about our children in need or children looked after with anyone without consent unless the law and our policies allow us to do so.

We share data with other third party data processor's to allow us to perform tasks within school more efficiently and effectively. Where we do this it will always be in accordance with our data protection policies.

- **Data collection requirements**

To find out more about the data collection requirements placed on us by the Department for Education go to:

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 children in England. It provides invaluable information on the background and circumstances on a child's journey and 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 children to the DfE as part of statutory data collections. Some of this information is then stored in the national pupil database (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
- 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, parents, carers and children have the right to request access to information about them that we hold. To make a request for your personal information contact the School Business Manager.

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:

Leah Hodgson, School Business Manager

Email. [office@kirkella.eniding.net](mailto:office@kirkella.eniding.net)

Tel.01482 657208