



## PRIVACY NOTICE

### PRIVACY NOTICE (How we use pupil information)

Emmbrook Junior School is the Data Controller for the use of personal data in this privacy notice. This document provides insight into how information about pupils is used in our school.

### Categories

#### The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs information (including needs and ranking)
- medical and administration (such as doctors' information, child health, dental health, allergies, medication and dietary requirements)
- attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage and phonics results, external examinations and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- information relating to remote learning/pastoral support
- information relating to trips and activities
- information relating to school meal management

For up to date data protection documents please see <https://emmbrookjuniorschool.co.uk/>

### Why we collect and use this information

We collect and use pupil information for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment and progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep pupils safe and healthy (e.g. food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us (e.g. DfE data collections)

### The lawful basis we rely on to process this information

Under the Data Protection Act 2018, the lawful basis we rely on for processing pupil information is:

- for the purposes of a), b), c) & d) in accordance with the legal basis of Public task: collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function
- for the purposes of e) in accordance with the legal basis of Vital interests: to keep children safe (food allergies, or medical conditions)
- for the purposes of f) in accordance with the legal basis of Legal obligation: data collected for DfE census information:
  - [section 537A of the Education Act 1996](#),
  - [the Education Act 1996 s29\(3\)](#)
  - [the Education \(School Performance Information\)\(England\) Regulations 2007](#)
  - [regulations 5 and 8 School Information \(England\) Regulations 2008](#)
  - [the Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2013](#)

<b>Collecting pupil information</b>
<p>Pupil data is essential for the school's operational use. 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 data protection legislation we will inform you at the point of collection whether you are required to provide certain pupil information or if you have a choice and we will tell you what you need to do if you do not want to share this information with us.</p> <p>We collect pupil information via the Pupil Data Form issued to parents when a pupil joins our school. We also receive information from the school(s) a child has previously attended through the use of secure file transfer using a Common Transfer File (CTF).</p>
<b>Storing pupil data</b>
<p>We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit <a href="https://emmbrookjuniorschool.co.uk/">https://emmbrookjuniorschool.co.uk/</a></p>
<b>Who we share pupil information with</b>
<p>We routinely share pupil information with:</p> <ul style="list-style-type: none"> <li>• schools that pupils attend after leaving us</li> <li>• our Local Authority</li> <li>• the Department for Education (DfE)</li> <li>• services that support teaching, learning, assessment, safeguarding and school management</li> <li>• catering services</li> <li>• parental communications services</li> <li>• health services</li> <li>• providers of extra-curricular services such as music services, before/after school clubs (where the child/young person accesses these services)</li> </ul>
<b>Why we regularly share pupil information</b>
<p>We only share information about pupils with others where the law and our policies allow us to, or where we have obtained any necessary consent. We will not share your data if you have advised us that you do not want it shared, unless it is the only way we can make sure you stay safe, or we are legally required to do so. Any data will be transferred securely.</p>
<b>Department for Education</b>
<p>The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the DfE either directly or via our local authority for the purpose of those data collections, under:</p> <ul style="list-style-type: none"> <li>• <a href="#">section 537A of the Education Act 1996</a></li> <li>• <a href="#">the Education Act 1996 s29(3)</a></li> <li>• <a href="#">the Education (School Performance Information)(England) Regulations 2007</a></li> <li>• <a href="#">regulations 5 and 8 School Information (England) Regulations 2008</a></li> <li>• <a href="#">the Education (Pupil Registration) (England) (Amendment) Regulations 2013</a></li> <li>• <a href="#">The Education (Information About Individual Pupils) (England) Regulations 2013</a></li> </ul> <p>All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current <a href="#">government security policy framework</a>. For more information, please see 'How Government uses your data' section.</p>

<b>Local Authorities</b>
We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under the <a href="#">Schools Admission Code</a> , including conducting Fair Access Panels.
<b>Requesting access to your personal data</b>
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, please contact the school using the details at the end of this document.
<b>Withdrawal of consent and the right to lodge a complaint</b>
<p>Where we are processing your personal data with your consent, you have the right to withdraw that consent.</p> <p>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 <a href="https://ico.org.uk/concerns/">https://ico.org.uk/concerns/</a>.</p> <p>If you would like to get a copy of the information about you that Wokingham Local Authority shares with the DfE or post-16 providers or how they use your information, please contact Data Protection Officer, Wokingham Borough Council, Shute End, Wokingham RG40 1WH.</p> <p>More information and an online form are available via this link: <a href="http://www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/">http://www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/</a></p>
<b>Updates to this privacy notice</b>
We may need to update this privacy notice periodically, but the latest version will always be available on the school website.
<b>Contact</b>
<p>If you would like to discuss anything in this privacy notice, or request access to your data, please contact:</p> <p>Claire Freeman, Data Protection Officer, Emmbrook Junior School, 0118 9784940</p> <p>This version was last updated June 2021.</p>

## PRIVACY NOTICE (How Government uses your data)

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

### 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)

Much of the data about pupils in England goes on to be held in 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. To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

### Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

### How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>