



# St Michael's Nursery and Infant School

Station Road, Workington, CA14 2UY Tel. 01900 608111

Our website address: [www.smhwkt.cumbria.sch.uk](http://www.smhwkt.cumbria.sch.uk)

## Privacy Notice (How we use Pupil Information)

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

- Personal information (such as name, unique pupil number, contact details of parents and emergency contacts and addresses)
- Characteristics (such as ethnicity, language, and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Special educational needs (including the needs and ranking)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Attendance (such as sessions attended, number of absences and absence reasons and any previous schools attended)
- Holiday Requests
- Assessment and attainment (such as key stage 1 and phonics results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Pupil Premium Information
- Accident Reports
- Consent Forms for Educational Visits

This list is not exhaustive, to access the current list of categories of information we process please see [www.smhwkt.cumbria.uk](http://www.smhwkt.cumbria.uk) and go to Policies and Procedures then Information Asset Register

### Why we collect and use this information

We collect and use the pupil information, for the following purposes:

- to support pupil learning
- to monitor and report on pupil attainment progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to meet statutory duties placed upon us for DfE data collection

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information are:

- for the purposes of Article 6:
  - 1 a. the data subject has given consent (by parent/guardian if data subject is under 16) to the processing of his or her personal data for one or more specific purposes;
  - 1 c. processing is necessary for compliance with a legal obligation to which the controller is subject
  - 1 d. processing is necessary in order to protect the vital interests of the data subject or of another natural person



- in accordance with the legal basis of Article 9:
  - 2 c. processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent
- In addition, concerning any special category data:
  - 2 b. Necessary to meet obligations under employment, social security or social protection law, or a collective agreement.
  - 2 h. For preventative or occupational medicine; assessing work capacity of an employee, medical diagnosis, providing health & social care or treatment or management of healthcare services under EU/National law or contract with a health professional.
  - 2 i. For public health e.g. protecting against serious cross-border threats to health or ensuring high standards of healthcare & medicinal products or medical devices.
  - 2 f. For the establishment, exercise or defence of legal claims or court judicial capacity

### How we collect pupil information

We collect pupil information via application forms for places in school and then further information is obtained using school's Data Capture Form issued on registration. If a child joins us from another school we receive information via a Department of Education Secure Access System called School2School.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

### How we store pupil data

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 [www.smhwkt.cumbria.sch.uk](http://www.smhwkt.cumbria.sch.uk)

### Who we share pupil information with

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE).
- NHS
- Police
- Scholarpack
- CPOMS

### Why we regularly 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.

Article 6

1 c. processing is necessary for compliance with a legal obligation to which the controller is subject

1d. Necessary to protect the vital interests (life) of a data subject or another person.



- 1e. Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

## Department for Education

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 Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

## 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 Mrs Gregory in the school office on 01900608111 or [admin@smhwkt.cumbria.sch.uk](mailto:admin@smhwkt.cumbria.sch.uk)

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
- a right to seek redress, either through the ICO, or through the courts

If you have a concern or complaint about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

## Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting **Mrs Emma Gregory in the school office on 01900608111 or [admin@smhwkt.cumbria.sch.uk](mailto:admin@smhwkt.cumbria.sch.uk)**

## Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on **20<sup>th</sup> December 2018**.

## Contact

If you would like to discuss anything in this privacy notice, please contact: Mrs Gregory in the school office on 01900608111 or [admin@smhwkt.cumbria.sch.uk](mailto:admin@smhwkt.cumbria.sch.uk)



## 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 use 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
- 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 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/national-pupil-database-requests-received>

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

## 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>

