

PRIVACY NOTICE

for

Everton Nursery School and Family Centre

How we use pupil information

Everton Nursery School and Family Centre are the Data Controller for the use of personal data in this privacy notice.

Why do we collect and use pupil information?

Section 537A of the Education Act 1996 requires schools to collect and provide any such individual pupil information as may be prescribed. This includes sharing of a set of named pupil records through the submission of termly school census returns to the local authority and the Department for Education (DfE).

Putting the school census on a statutory basis:

- means that schools do not need to obtain parental or pupil consent to the provision of information
- ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils
- helps to ensure that returns are completed by schools

We also collect and share individual pupil information with the local authority - including attendance and exclusions data- each week. This is supported under The Education (Pupil Registration) (England) Regulations 2006 Regulation 12; Children's Act 2004 Section 10: co-operation to improve wellbeing; Children's Act 2004 Section 11: arrangement to safeguard and promote welfare; Education and Inspections Act 2006 Section 38 and Working together to safeguard children 2018.

This information is used by the local authority to fulfil a number of statutory duties:

- to ensure there are sufficient school places in the area
- promote high education standards
- ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential
- the need to meet the local authority's safeguarding requirements
- to facilitate the ability of partner organisations to support the learning and welfare of children and young people through the exchange of data and the use of information not otherwise available to either organisation.

For more information on how the local authority uses information we share with them go to <http://liverpool.gov.uk/schools-and-learning/requests-for-pupil-records/>

We (Everton Nursery School and Family Centre) are a data controller for the purposes of the Data Protection Act. We collect personal information from you and may receive information about you from your previous school, the Local Authority and/or the Department for Education (DfE). We also use pupil data to:

- Support pupil learning;
- Monitor and report on pupil attainment progress;

- Provide appropriate pastoral care, and
- Assess the quality of our services
- Keep children safe (food allergies and/or emergency contact details)
- To meet the statutory duties placed upon us by the Department for Education

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

- Personal identifiers and contacts (such as name, unique pupil number and 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 (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)
- Assessment and attainment (such as end of EYFS Year within the Nursery School)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Family Support information

Collecting pupil information

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 and we will tell you what you need to do if you do not want to share this information with us.

Storing pupil data

We hold pupil data for 25 years in a secure locked metal cabinet within a secure room.

Who do we share pupil information with?

We routinely share pupil information with:

- schools
- local authorities
- the Department for Education (DfE)

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.

We share pupils' data with the Department for Education (DfE) on a statutory basis. The Department for Education collects personal data from educational settings and local authorities via various statutory data collections. This data sharing underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school. The pupil data informs short term educational policy monitoring and school accountability and intervention. The pupil data supports 'longer term' research and monitoring of educational policy. We are required to share information about our pupils with our local authority (LA) and 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.

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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

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

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

The Department for Education 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 the Department for Education 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 GDPR, 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 Carol Forshaw, Lead Administrator or Lesley Curtis, Headteacher.

Depending on the lawful basis above, you may 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

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>

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:

- Carol Forshaw, Lead Administrator.

Agreed and updated online due to Covid19 by the Governing Body in February 2021.