

Privacy Notice - Data Protection

Information about pupils in schools, alternative provision and pupil referral units

We, Banister Primary 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 collect information on national curriculum assessment results, attendance, academic progress, medical issues, safeguarding and special educational needs and disabilities.

We hold this personal data and use it 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 agreement 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.

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.

The school members of staff responsible for data protection, who should be contacted in writing if you would like to receive a copy of the information about you that we hold or share, are:

Miss K Vincent
Mr D Hockin

For information on how long the school will store the information collected please refer to the school Data Protection Policy.

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.
- 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://www.southampton.gov.uk/contact-us/privacy-cookies/privacy-policy.aspx#retention>
- <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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