



'Where Children Shine'

## **PRIVACY NOTICE FOR PARENTS AND CARERS**

This notice is to inform you of what information we collect and how we use it.

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

- Personal information (such as name, contact details and address, date of birth)
- Characteristics (such as ethnicity, language and nationality)
- Attendance information (such as sessions attended)
- Assessment information
- Relevant medical, special educational needs, safeguarding and behavioural information
- Photographs

The General Data Protection Regulation allows us to collect and use pupil information with consent of the data subject, where we are complying with a legal requirement, where processing is necessary to protect the vital interests of a data subject or another person and where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. When the personal information is Special Category Information we may rely on processing being in the substantial public interest in addition to consent of the data subject and the vital interests of the data subject or another.

Our requirement for this data and our legal basis for processing this data includes the Education Act 1996, 2002 and 2011, The Children's Act 1989 and 2004, Education and Skills Act 2008, the Equalities Act 2010 and Article 6 and Article 9 of the General Data Protection Regulation.

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

We use the pupil data:

- To support pupil learning and development
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To assess the quality of our services
- To comply with the law regarding data sharing
- To administer admissions waiting lists
- For safeguarding of the children

### **Collecting pupil information**

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 the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this. Where we are using your personal information only on the basis of your permission you may ask us to stop processing this personal information at any time.

### **Who we share pupil information with**

We routinely share pupil information with:

- Schools other settings that the pupil's attend during their time with us and after leaving us
- Our local authority
- The Department for Education (DfE)

- Other outside agencies, such as social services and health professionals

### Why we share pupil information

We do not share information about our pupils without consent unless the law and our policies allow us to do so. By law, pupil information can be shared with relevant authorities, without consent from parents, if it is felt there is a safeguarding concern.

We share pupil's data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy monitoring.

We share pupil's data with the local authority on a statutory basis, for funding purposes.

### Data collection requirements:

To find out more about the data collection requirements placed on us by the Department for Education (for example, via the early years census) go to:

<https://www.gov.uk/childcare-parenting/data-collection-for-early-years-and-childcare>.

For information about services for young people, please visit our local authority website:

<http://www3.hants.gov.uk>

### 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 pupils to the DfE as part of statutory data collection such as the early years' census. Some 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 NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The DfE 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 DfE has robust processes in place to ensure that 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 data, security arrangements and retention and use of the data.

For information about the DfE'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 DfE 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, please visit: <https://www.gov.uk/contact-dfe>

### 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, please contact the Senior Setting Leader or Setting Leader.

You also have the right, subject to some limitations 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
- Claim compensation for damage 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, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

### Data Retention

Records are kept securely and will be held by us until the end of the academic year of your child's 24<sup>th</sup> birthday. This length of time is determined by the Limitation Act 1980, where normal limitations (which mean that an individual can claim for negligently caused personal injury up to 3 years after, or deliberately caused personal injury up to 6 years after the event) are postponed until a child reaches 18 years of age.

### Contact

If you would like to discuss anything in this privacy notice, please contact the Senior Setting Leader or Setting Leader.