

# Flagg Nursery School

## Privacy Notice

### (How we use pupil information)



**Flagg Nursery School is the Data Controller for the use of the personal data in this privacy notice. This privacy notice is to explain how information about pupils and their families is collected, held, used and shared within the nursery school.**

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

- personal identifiers and contacts (such as name, date of birth, photographs, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, country of birth 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, absence reasons and any previous schools attended)
- assessment and attainment
- behavioural information
- Funding (such as Free School Meals, Early Years Pupil Premium and Early years entitlement, including the 30-hour offer)
- Non-funded sessions and school meal charges – personal data is required for the administration of paid services (such as name, address, DOB, e-mail address and telephone numbers)

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

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

We collect and use 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 the statutory duties placed upon us for DfE data collections
- to ensure the security of the site
- protect public monies against fraud

## The lawful basis on which we use this information

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

- Article 6 (a) – Consent (for any processing which does not fall into the bases detail with this section below)
- Article 6 (c) – Compliance and legal obligation  
  
as set out in the Education Act 1996 (as amended). We are required to share information about our pupils with the (DfE) under regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.
- Article 6 (4) – Public Interest

In addition, concerning any special category (personal data that needs more protection because it is sensitive, please see our legal conditions for processing document for information about special category data) data of [GDPR - Article 9](#):

- Article 9(2g) - Processing is necessary for reasons of substantial public interest

Data Protection Act 2018 part 2 schedule 1;

- 8 - Equality of Opportunity or Treatment
- 18 - Safeguarding Children and Individuals at Risk

## How we collect pupil information

We collect pupil information via pupil registration and funding forms which are collected when a child joins our school. We also collect information provided by parents, previous settings, the NHS and Local Authorities, Police and the Department for Education.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it 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.

## How we store pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule. We follow Derbyshire County Council's recommendations for record retention and this can be found by visiting our school website [www.flagg.derbyshire.sch.uk](http://www.flagg.derbyshire.sch.uk).

*We are currently following the instructions of the Independent Inquiry into Child Sexual Abuse (IICSA) which states that student records should not be destroyed until this inquiry is complete.*

## 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)
- Derbyshire NHS Trust

We also share information about our pupils with external providers to carry out day to day processes and requirements. These include, but are not limited to:

- RM Integris
- SAP Finance
- Evidence Me – on-line learning journal
- ParentPay – online payment system
- Parent Hub – parent communication service
- Tracker+ - assessment tracking system
- Class Dojo

## 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.

### 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.

[For use by maintained schools only:] 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.

### Local Authorities

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 [Schools Admission Code](#), including conducting Fair Access Panels.

## 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 Mrs Leyanne Simpson on 01298 85208 or by e-mail [info@flagg.derbyshire.sch.uk](mailto:info@flagg.derbyshire.sch.uk)

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

If you have a concern or complaint 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/>

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 Leyanne Simpson, School Business Officer on Tel: 0129885208.

### **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 May 2021

### **Contact**

If you would like to discuss anything in this privacy notice, please contact: Leyanne Simpson, School Business Officer, or Helen Brittain-Carlidge, Data Protection Officer on 01298 85208.

### **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
- 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/dfе-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>