



St. Joseph's Catholic Primary School Policy

Data Protection Policy

Date: September 2024

Next review: September 2025

Mission
Together we love, learn, follow Jesus
Vision
At St Joseph's Catholic Primary School, through an open and generous heart, we learn together as a family in faith, following the gospel values of love.
Values
Hope Thankfulness Collaboration Compassion Friendship Resilience Empathy Creativity Justice Respect

Privacy Notice (How we use pupil information)

We collect and hold personal information relating to our pupils and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE).

The categories of pupil information that we process include:

- Personal identifiers and family/carer contact details (such as name, unique pupil number, contact details, address and telephone numbers)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Special educational needs information
- Medical conditions and associated administration (such as doctors information, child health, allergies, medication and dietary requirements)
- Attendance data (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment and attainment (such as phonics results)
- Behavioural and exclusion information
- Relevant medical information given by third parties such as NHS Trusts, GPs and allied medical professionals such as physiotherapists, speech and language therapists, sight and hearing professionals
- Pupil images
- Service children
- Looked after and previously looked after children

Why we collect and use pupil information

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

- a) to support pupil learning and inform teaching
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services and provision
- e) to comply with the law regarding data sharing
- f) to safeguard pupils
- g) to meet the statutory duties placed upon us for the Department for Education (DfE) data collections
- h) where appropriate to showcase the school's achievements and to promote the school to prospective pupils (including through the school website and social media where consent has been obtained)
- i) other reasonable purposes relating to the operation of the school

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

On the 25th May 2018, the Data Protection Act 1998 was replaced by the General Data Protection Regulation (GDPR). The School is a public authority and has certain powers and obligations. Most of your



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personal data is processed for compliance with a legal obligation which includes the discharge of the School's statutory functions and powers. We will always take into account your interests and rights. This Privacy Notice sets out your rights and the School's obligations to you.

The condition for processing under the GDPR will be Article 6.

1. Processing shall be lawful only if and to the extent that at least one of the following applies:
 - Data subject has given consent.
 - Necessary for the performance of a contract
 - Processing is necessary for compliance with a legal obligation to which the controller is subject
 - To protect the vital interests of the data subject of another person (such as providing contact and medical information for an emergency).
 - For the performance of a task carried out in the public interest or in exercise of official authority.
 - Necessary for the purposes of the legitimate interests.

Sometimes the use of your personal data (including the processing of Special Categories of personal data as per Article 9) requires your consent. We will first obtain your consent to that use.

Article 9

1. Processing of personal data revealing racial or ethnic origins, political opinions, religious or philosophical beliefs, or trade union membership and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning natural person's sex life or sexual orientation shall be prohibited.

2. Paragraph 1 shall not apply if one of the following applies:

- The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where union or member state law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject.
- 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.
- Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

To find out more about the data collection requirements placed on us by the DfE (via the school census) go to www.gov.uk/education/data-collection-and-censuses-for-schools

The Education (Information about Individual Pupils) (England) Regulations 2013 – Provision of information by schools maintained by local authorities to their local authorities or to the Secretary of State Regulation 3 – states that 'Within fourteen days of receiving a request from the local authority by which a school is maintained, or from the Secretary of State, the governing body of that school shall provide to the authority or, where so requested, to the Secretary of State, such of the information referred to in Schedule 1, and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested'. The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.



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Collecting pupil information

We collect pupil information via registration forms for new starters at the start of the school year, via Data Collection Forms sent during the first term or via Common Transfer File (CTF) a secure file transfer from previous school.

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.

Voluntarily provided data

Families are asked to voluntarily provide information including:

- Information about pupils' medical and dietary needs
- Information about pupils' family and ethnic background
- Information about your family background for the purpose of providing additional support to pupils in school
- Information about your beliefs and if practising so that we can be inclusive in our teaching and learning.

Storing pupil data

We hold both electronic and hard paper copies of pupil data. Personal information is kept securely. Data stored electronically can only be accessed by individual, personalised passwords. Files are backed up regularly and remotely off site.

We will not hold data for any longer than necessary, depending on the type of information and what it is used for. Typically data is held for the duration that your child attends school unless there are ongoing legal cases and the period until a child's 25th birthday for those who are registered with SEN.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority (including school advisors)
- other local authorities that pupils move into after leaving us
- the Department for Education (DfE)
- School bodies such as OFSTED
- Children's Social Care
- NHS and school nurses and other medical professionals where appropriate
- Third party data processors that process or manage data on our behalf such as SIMS.net who provide our data management system; WONDE who provides information to the DfE and CPOMS who provide our incident record system

All these are data controllers in respect of the personal data that they receive and must themselves comply with GDPR and the associated Data Protection Bill which will replace the current Data Protection Act 1998.



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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.

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

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Department for Education (DfE)

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 the Department for Education (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. For privacy information on the data the Department for Education collects and uses, please see:

<https://www.gov.uk/government/publications/privacy-information-early-years-foundation-stage-to-key-stage-3>

How Government uses your data

The pupil data that we lawfully share with the Department for Education (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 (DfE) (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 (DfE) and contains information about pupils in schools in England. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The data in the NPD is provided as part of the operation of the education system and is used for research and statistical purposes to improve, and promote, the education and well-being of children in England. The evidence and data provide DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-mpd-privacy-notice/national-pupil-database-mpd-privacy-notice>



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Sharing by the Department for Education (DfE)

DfE will only share pupils' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, the law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and 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 for Education's (DfE) 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 the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) 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 the Department for Education (DfE) holds about you

Under the terms of the UK GDPR, you are entitled to ask the Department for Education (DfE):

- 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 for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

or

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>



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Requesting access to your personal data

The UK-GDPR gives parents and pupils certain rights about how their information is collected and used. To make a request for your personal information, or be given access to your child's educational record, contact;

School Business Support Officer

Tel: 01254 853473

Email: secretary@st-josephs-hoghton.lancs.sch.uk

You also have the following rights:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'.
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request.
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- the right to ask us to delete your personal information – this is called 'right to erasure'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'.
- the 'right to object to processing' of your information, in certain circumstances
- rights in relation to automated decision making and profiling.
- the right to withdraw consent at any time (where relevant).
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't haven't the right to object, but you have the right to withdraw consent.

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 [raise a concern with ICO](#).

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



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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 the headteacher.

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 September 2024.

Contact

If you would like to discuss anything in this privacy notice, please contact:

School Business Support Officer

Tel: 01254 853473

Email: secretary@st-josephs-hoghton.lancs.sch.uk