

Privacy Notice – How We Use Pupil and Parents’/Carers’ Information



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Approved by	Swaythling Primary School Governing Body		
Date last amended	20 th May 2025	Approval date	20 th May 2025
Lead officer	Anna Laycock	Next Review date	May 2026
Contact	info@swaythlingprimary.org		
Chair of Governor’s Signature	Zoe Snow		

The categories of pupil and parents'/carers' information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details, address, date of birth, National Insurance number, email address and copy passports or birth certificates)
- 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 and details of professional involvement)
- medical and administration (such as doctors information, child health, dental health, allergies, medication, dietary requirements and Individual Health Care Plans)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as EYFS, Phonics, Key Stage 1 and Key Stage 2 results and internal assessment data)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- photographs and videos

This list is not exhaustive, to access the current list of categories of information we process please see <https://swaythlingprimary.net/>.

Why we collect and use pupil information

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

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

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us for DfE data collections

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

- for the purposes of a,b, c and d in accordance with the legal basis of Public task: collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function
- for the purposes of e in accordance with the legal basis of Vital interest: to keep children safe (food allergies or medical conditions)
- for the purposes of f in accordance with the legal basis of Legal obligation: data collected for DfE census information
 - Section 537A of the Education Act 1996
 - the Education Act 1996 s29(3)
 - the Education (School Performance Information) (England) Regulations 2007
 - regulations 5 and 8 School Information (England) Regulations 2008
 - the Education (Pupil Registration) (England) (Amendment) Regulations 2013

In addition, concerning any special category data:

- conditions a, b, c and d of GDPR - Article 9

A list of statutory requirements which identify the legal basis used in this Policy is attached as Appendix A.

Collecting pupil information

We collect pupil information via registration forms at the start of each academic year. In addition, when a child joins us from another school we are sent a secure file containing relevant information via a secure file transfer.

Pupil data is essential for the school's 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.

Storing pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit <https://swaythlingprimary.net/>

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)
- school nurse
- yellow school photography

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 537A of the Education Act 1996
- the Education Act 1996 s29(3)
- the Education (School Performance Information) (England) Regulations 2007
- regulations 5 and 8 School Information (England) Regulations 2008
- the Education (Pupil Registration) (England) (Amendment) 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.

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, contact our Data Protection Officer Michele Dymott on 02380 552252 or info@swaythlingprimary.org.

You also have the right:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to object to processing of personal data that is likely to cause, or is causing, damage or distress
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to prevent processing for the purpose of direct marketing
- to not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you
- to right to 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.

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 28th January 2020.

Contact

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer Michele Dymott on 02380 552252 or info@swaythlingprimary.org.

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 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'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/dfe-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>

STATUTORY REQUIREMENTS LISTING THE LAWFUL BASES FOR EACH CATEGORY OR TYPE OF DATA COLLECTED

- To create and maintain an admission register under the Education (Pupil Registration) (England) Regulations 2006 and subsequent amendments
- To provide appropriate pastoral care (Keeping Children Safe in Education 2021)
- To 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 (2018)
- To 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 (2018)
- To create a Common Transfer File when a child ceases to be registered at a school. In accordance with the Education (Pupil Information) (England) Regulations 2005 Statutory Instrument and subsequent amendments in The Education (Pupil Information) (England) (Amendment) 2008
- To provide information via statutory census or data collection returns to the DfE
- To 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
- To 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
- To 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
- To provide exclusion information to Southampton City Council so that its duty under Section 19 of the Education Act 1996 can be met
- To meet our duty to provide information about any exclusions within the last 12 months to the Secretary of State and the local authority in accordance with The Education (Information About Individual Pupils) (England) Regulations 2006