# PRIVACY NOTICE (HOW WE USE PUPIL INFORMATION)

## The categories of information that we collect, hold and share on our children include:

* Personal information (such as name, date of birth and address)
* Characteristics (such as ethnicity, language and nationality)
* Attendance information (such as sessions attended, number of absences and absence reasons)
* Special education needs
* Medical information
* Assessment information

## Why we collect and use this information

We use the data:

* to support your child’s learning
* to monitor and report on their progress
* to assess the quality of our services
* to comply with the law regarding data sharing
* to ease the completion of funding forms
* to assist with our admissions

## The lawful basis on which we use this information

We collect and use pupil information under the legal basis of **public interest** as a pre-school with the delegated task of educating and safeguarding the children in our care and under a legal obligation which necessitates our school making statutory data returns to the Department for Education (DfE) and the our Local Authority [as described in Article 6, GDPR). We are obliged to make statutory census returns and hold attendance information under the following legislation: Education Act 1996. The special categories of data have been collected through explicit consent from the data subject in support of the specific purposes for which the data is being used in the education and safeguarding of pupils in our care [Article 9, GDPR]. Whilst the majority of pupil information you provide to us is mandatory (for reasons described above), there may be some information which we ask you for which is not mandatory but provided on a voluntary basis.

In some cases, we will ask you for information on the legal basis of **legitimate interest** where the information is required to support an educational or safeguarding function (e.g. a parent/carer email address or mobile contact number in case of emergencies).

The data we collect relating to medical health information is necessary to protect the **vital interests** of the child so that we can ensure a child’s medical needs are properly addressed and catered for.

As a parent/carer, you cannot decline a data collection but you have right to decline providing information for self-declared data items by selecting the ‘refused’ option e.g. ethnicity. There are certain personal data items (e.g. photographs) which we collect on the legal basis of **legitimate interest**. We will ask you for your explicit consent about how these data items can be used (e.g. photographs on our Facebook group or website). As a parent/carer you can change your decision to grant or withdraw consent at any time. If at any point in the future, we seek to use any previously collected information for another purpose or use the information in new software, we will ask for your explicit consent to do so.

**Collecting pupil information**

Whilst the majority of 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.

## Storing pupil data

We hold pupil data for seven years after a child has left our setting.

## Who we share pupil information with

We routinely share pupil information with:

* schools that the pupil’s attend after leaving us
* our local authority
* the Department for Education (DfE)
* early years SEND advisory teams (if necessary)
* NHS in the event of a medical emergency
* health visitors

## Why we 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.

## 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)**

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 our pupils to the DfE as part of statutory data collections such as the early years’ census. Some of this 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 Department 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 Department has robust processes in place to ensure the 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: and
* 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 the data, security arrangements and retention and use of the data.

For more information about the department’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 department 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: <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, contact Sue Honey at Oscar Club Pre-school.

You 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
* claim compensation for damages 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/>

# Contact

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

Jenny Franklin (Manager) or Sue Honey (Administrator) at Oscar Club Pre-school.