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Acting Headteacher: Mrs K Turvey

# **Privacy Notice (How we use pupil information)**

## We, Burstow Primary School, are a data controller for the purposes of the Data Protection Act. We collect personal information from you and may receive information about you from your previous school and the Learning Records Service.

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

* Personal information (such as name, unique pupil number and address)
* Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
* Attendance information (such as sessions attended, number of absences and absence reasons)
* Assessment information (such as Early Year Profile, Phonics screening check, Standardised Assessment Tasks)
* Relevant medical information (such as allergies)
* Special Educational Needs information (such as multi-professional team assessments, Educational Health Care Plans (EHCP)
* Exclusions/behavioural information (such as exclusion documentation, bullying, racial incidents)

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

We use the pupil data:

* to support pupil learning
* 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

## **The lawful basis on which we use this information**

* We collect and use pupil information so that the school, as a public authority, can perform a task in the public interest, and carry out its official functions
* that the school can **comply with a legal obligation**

If you need more information about how the Local Authorities and DFE store and use your information please go to the following <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

**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.

## Storing pupil data

## Please refer to Appendix 1 for all pupil data which is created during the time a pupil spends at Burstow Primary School.

## **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)
* the National Health Service
* the School Nurse
* the Multi-Professional Team (such as Educational Psychologist, Learning and Language Support Teachers)
* Friends of Burstow School (FOBS)
* the school photographers
* software providers for assessment such as Tapestry and Target Tracker

## **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.

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.

## **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 school census and 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:

Wendy Iball via the School Office – admin@burstow.surrey.sch.uk

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 Wendy Iball, The Data Protection Officer, in writing via the School Office – [admin@burstow.surrey.sch.uk](mailto:admin@burstow.surrey.sch.uk)

**Appendix 1 – Storing Pupil Data**

|  |  |  |
| --- | --- | --- |
| We hold pupil data for  **Basic File Description** | Operational – Retention Period | Action at end of administration life |
| **Pupils Educational Records** | | |
| Pupils Educational Record required by the Educational (Pupil Information)(England) Regulations 2005 | Retained while child is at Burstow Primary School | The file should follow the pupil to:   * Another school * Pupil referral unit * If a pupil dies the file should be returned to the Local Authority * Transfer to an independent school/home schooling/ leaves country – file to Local Authority |
| **Examination Results** | | |
| e.g. SATs EYFS, Phonic Screening | Information added to pupil file  Composite record for comparison to be kept for current year plus 6 years | The file should follow the pupil to:   * Another school * Pupil referral unit * If a pupil dies the file should be returned to the Local Authority   Transfer to an independent school/home schooling/ leaves country – file to Local Authority |
| **Child Protection** | | |
| Child Protection information held on pupil file    Child Protection information held in separate file | Blue file should have a white sticker to indicate a CP file  Retained while child in School, transferred in a double envelope by hand where practicable signature of receipt required  Records kept by HSLW retained while child at Burstow Primary School  Records kept by Secondary School until child is 25 years old | Secure disposal – these records my be shredded  Secure disposal – these records my be shredded |
| **Attendance** | | |
| Attendance Registers  Correspondence relating to authorised absence | Entry data kept for three years after date entry made (Attic)  Current academic year plus 2 years (Attic) | Secure disposal  Secure disposal |
| **Special Educational Needs** | | |
| Special Educational Needs – files, reviews, individual education plans  Statement maintained under Section 234 of the Education Act 1990 and any amendments made to the statement  Advice and information provided to parents regarding educational needs  Accessibility Strategy | Date of birth of child plus 25 years (retained on pupil file)  Date of birth of child plus 25 years (retained on pupil file)  Date of birth of child plus 25 years (retained on pupil file)  Date of birth of child plus 25 years (retained on pupil file) | This is the minimum retention period. (Some LAS keep for longer to defend themselves against “failure to provide a sufficient education case”.)  Secure disposal unless subject to a legal hold  Secure disposal unless subject to a legal hold  Secure disposal unless subject to a legal hold |
| **Curriculum Management** | | |
| Curriculum Returns | Current Year plus 3 years | Secure disposal |
| Published Admission Number (PAN) reports | Current Year plus 6 years | Secure disposal |
| Value added and contextual data | Current year plus 6 years | Secure disposal |
| Self-evaluation forms | Current year plus 6 years | Secure disposal |
| **Implementation of the Curriculum** | | |
| Schemes of Work | Current year plus 1 | Review records at end of each year and allocate a further retention period or secure disposal |
| Timetables | Current year plus 1 |
| Class record books | Current year plus 1 |
| Mark books | Current year plus 1 |
| Record of homework set | Current year plus 1 |
| Pupils’ work | Where possible pupils work should be returned to the pupil at the end of the academic year, at most plus 1 | Secure disposal |
| **Extra-Curricular Activities** | | |
| Records relating to Educational visits outside the classroom | Date of visit plus 14 years | Secure disposal |
| Parental consent forms for school trips where there has been no major incident | Conclusion of trip | Requirement is low for retention  Secure disposal |
| Parental consent forms for a school trip where there has been a major incident | Date of Birth of pupil plus 25 years. Retain to ensure rules followed by all pupils | Secure disposal |
| Walking Bus Registers | Date of register plus 3 years – takes account of incident accident reporting | Secure disposal  Electronic back up destroyed |
| **Home School Link Worker** | | |
| Day Books | Current year plus 2 years then review | Secure disposal |
| Reports from outside agencies – on case file | Whilst child in school – then destroy | Secure disposal |
| Referral forms | While referral is current | Secure disposal |
| Contact data sheets | Current year – destroy if contact no longer needed | Secure disposal |
| Contact database entries | Current year, review, destroy if no longer needed | Secure disposal |
| Group registers | Current year plus 2 years | Secure disposal |
| **Central Government and Local Authority** | | |
| Common Transfer forms (CTF) | Current year plus 2 years | Secure disposal |
| Attendance Returns | Current year plus 1 | Secure disposal |
| School census returns | Current year plus 5 | Secure disposal |