

Appendix 2

Privacy Notice

How we use children in need and children looked after information

Categories of this information that we collect, process, hold and share include:

- Personal information (such as name, date of birth and address)
- Special categories of data including characteristics information (such as gender, age, ethnic group)
- Characteristics (such as gender, ethnicity and disability)
- Information relating to episodes of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child protection information and child Protection Plan information)
- Episodes of being looked after (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending)
- Adoptions (such as dates of key court orders and decisions)
- Care leavers (such as their activity and what type of accommodation they have)

Why we collect and use this information

We use this data to:

- Support these children and monitor their progress
- Provide them with pastoral care
- Assess the quality of our services
- Evaluate and improve our policies on children's social care

The lawful basis on which we process this information

We collect and process information about children in our care and children to whom we provide services under

- Article 6(1)(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
- Article 9(2)(b) processing is necessary for the purpose of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security agreement pursuant to member state law providing for the appropriate safeguards for the fundamental rights and the interests of the data subject.

The Education Act 1996; this information can be found in the guide documents on the following website: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Collecting this information

Whilst the majority of children looked after 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 school workforce information to us or if you have a choice in this.

Storing this information

Joy Lane Foundation Primary School keep information about children in need and children looked after on computer systems and also some on paper.

We hold your education records securely until you change school. Your records will then be transferred to your new school, where they will be retained until you reach the age of 25, after which they are safely destroyed.

There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it is the only way we can make sure you stay safe and healthy or we are legally required to do so.

Who do we share this information with?

We routinely share pupil information with:

- the Department for Education (DfE)

Why we share this information

Department for Education (DfE)- We share children in need and children looked after data with the Department for Education (DfE) on a statutory basis under

section 83 of 1989 Children's Act, Section 7 of the Young People's Act 2008 and also under section 3 of The Education (Information about Individual Pupils) (England) Regulations 2013.

This data sharing help to develop national policies, manage local authority performance, administer and allocate funding and identify and encourage good practise.

We do not share information about our children in need or children looked after with anyone without consent unless the law and our policies allow us to do so.

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education please visit:

Children looked after: <https://www.gov.uk/guidance/children-looked-after-return>

Children in need: <https://www.gov.uk/guidance/children-in-need-census>

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 DfE. 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 school 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, please visit:

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

The department may share information about our school employees with third parties who promote the education or well-being of children or the effective deployment of school staff 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 school workforce information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements, 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-collectand-share-research-data>

For information about organisations the department has provided pupil information, (and for which project), please visit:

<https://www.gov.uk/government/publications/national-pupils-database-requests-received>

To contact the Department for Education, please visit: <https://www.gov.uk/contact-dfe>

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, please contact:

The School Business Manager and/or Data Protection Officer

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 any 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: <https://ico.org.uk/concerns/>

Further Information

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

The School Business Manager and /or Data Protection Officer

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