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Hevingham Under 5's Privacy Notice 2020

We at Hevingham Under 5's are the Data Controller for the purposes of the Data Protection Act. We collect information from you. The categories of 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 (national curriculum assessment results, teacher assessments)
- Medical conditions, allergies etc.
- SEND information
- Behavioural information
- Photographs (for identification purposes, as part of online learning journeys – Tapestry)

COVID-19

We will also hold contact details for all visitors into the school building for 21 days to enable us to support the government NHS Test and Trace scheme.

We may receive information about you from your previous nursery or pre-school setting, Children's services, the police and the NHS. We hold this personal data and use it to:

- support pupils teaching, learning and development

- monitor and report on their progress
- provide appropriate pastoral care
- assess how well the pre-school as a whole is doing
- to support your transition to primary school
- complete statutory census returns

We collect and use pupil information under lawful basis from article 6:

- **Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
- **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

and under lawful basis from article 9:

- Processing is necessary for reasons of substantial public interest, on the basis of 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.

Consent

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.

If we do require your consent, this will be done separately to this privacy notice and will require your signature. If however you wish to withdraw your consent you have the right to do so.

Storing pupil data

We hold pupil data until they move onto primary school or move to a different nursery / pre-school before this point. If children are home educated we will keep their information until they are 25 years old. Electronic data is kept for 7 years after a child has left us.

We use retention guidelines produced by the Information and Records Management Society to make sure we do not have possession of data for longer than is required.

Who we share pupil/parent information with and why

This data may only be used or passed on for specific purposes as allowed by law. From time to time the pre-school is required to pass on some of this data to:

- our local authority (this will be done termly to enable us to claim funded hours for your child)
- a pre-school or nursery that the pupil attends at the same time as attending our setting
- a pre-school or school that a pupil attends after leaving us
- the Department for Education (DfE) (We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins pre-school funding and educational attainment policy and monitoring).
- agencies that are prescribed by law - for example social services, early help, NHS and other agencies the pre-school works with

All these are data controllers in respect of the data they receive, and are subject to the same legal constraints in how they deal with the data. We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

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. 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>.

If you require more information about how the LA and/or DfE store and use this data please go to the following websites:

- <http://www.schools.norfolk.gov.uk/School-administration/Legal/Privacy-notice/index.htm>
- <http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

If you are unable to access these websites, please contact the LA or the DfE as follows:

- Records & File Access Manager,
Children's Services,
County Hall,
Room 22,
Martineau Lane,
Norwich,
NR1 2DL
Email: info.management@norfolk.gov.uk
Tel: 01603 223839
- Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street

Manchester
M1 2WD
Contact form <https://www.gov.uk/contact-dfe>
Telephone 0370 000 2288
Fax 0161 600 1332

Please see appendix 1 for more information on the National Pupil Database. 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.

Requesting access to your personal data

Pupils, as data subjects, have certain rights under the Data Protection Act, including a general right to be given access to personal data held about them by any data controller. The presumption is that by the age of 12 a child has sufficient maturity to understand their rights and to make an access request themselves if they wish. A parent would normally be expected to make a request on a child's behalf if the child is younger.

If you wish to access your personal data, or that of your child, then please complete a subject access request from which can be found on the schools website. This then needs to be emailed or handed in to one of the school offices or the 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 at any point you think there is a problem in the way we are handling your data you have a right to complain to the Information Commissioner's Office (ICO) - 0303 123 1113.

Data Protection Officer (DPO)

Ane Van den Berg who is based at the Aylsham Learning Federation is our DPO.

Appendix 1 –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 children 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 children's 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>