

Lawful basis for processing – Legal Obligation

School Duties

Type of information	Purpose	Relevant law
Admissions register	To keep for every pupil	Education (Pupil Registration) (England) Regulations 2006, Regulation 4
	The admission register of every school shall be available for inspection by HM Chief Inspector of Education and in a school maintained by a LA an officer of LA authorised for that purpose	Education (Pupil Registration) (England) Regulations 2006, Regulation 10
	Person authorised to inspect register at Regulation 10 (above) is permitted to make extracts from such register	Education (Pupil Registration) (England) Regulations 2006, Regulation 11
	Preserve every entry in the admission register for a period of 3 years after the date upon which it was first made.	Education (Pupil Registration) (England) Regulations 2006, Regulation 14
	Where the admission register is kept by means of a computer, to	Education (Pupil Registration) (England) Regulations 2006, Regulation 15

	<p>make a back-up copy of each, not less than once a month in the form of an electronic, micro-fiche or printed copy.</p>	
Attendance register	<p>To keep for every pupil</p> <p>The attendance register of every school shall be available for inspection by HM Chief Inspector of Education and in a school maintained by a LA an officer of LA authorised for that purpose</p> <p>Person authorised to inspect register at Regulation 10 (above) is permitted to make extracts from such register</p> <p>Every school to provide to the LA the full name and address of every registered pupil of compulsory school age who fails to attend school regularly.</p>	<p>Education (Pupil Registration) (England) Regulations 2006, Regulation 4</p> <p>Education (Pupil Registration) (England) Regulations 2006, Regulation 10</p> <p>Education (Pupil Registration) (England) Regulations 2006, Regulation 11</p> <p>Education (Pupil Registration) (England) Regulations 2006, Regulation 12</p>

	<p>Preserve every entry in the attendance register for a period of 3 years after the date upon which it was first made.</p> <p>Where the attendance register is kept by means of a computer, to make a back-up copy of each, not less than once a month in the form of an electronic, micro-fiche or printed copy.</p>	<p>Education (Pupil Registration) (England) Regulations 2006, Regulation 14</p> <p>Education (Pupil Registration) (England) Regulations 2006, Regulation 15</p>
Common Transfer File	<p><u>Maintained School</u>: When a pupil ceases to be registered at a school and becomes registered at a new school, to transfer the pupil's Common Transfer File to the new school.</p>	<p>Education (Pupil Information) (England) Regulations 2005, Regulation 6</p>
Curricular record	<p><u>Maintained Schools/Special Schools</u>: To keep a curricular record (academic results, skills and progress), updated at least once every school year, in respect of every registered pupil at the school.</p>	<p>Education (Pupil Information) (England) Regulations 2005, Regulation 4</p>

	<u>Maintained Schools/Special Schools</u> ; Where a pupil is under consideration for admission to another school higher education institution, the governing body shall transfer the pupil's curricular record to the responsible person following a written request.	Education (Pupil Information) (England) Regulations 2005, Regulation 5(5),
Educational record	<p><u>Maintained Schools/Special Schools</u>; Make pupil's educational record available for inspection by the parent free of charge.</p> <p><u>Maintained School</u>; When a pupil ceases to be registered at a school and becomes registered at a new school, to transfer the pupil's Educational record to the new school.</p>	<p>Education (Pupil Information) (England) Regulations 2005, Regulation 5</p> <p>Education (Pupil Information) (England) Regulations 2005, Regulation 6</p>
Pupil Information	<p><u>Schools Maintained by LA</u>; To provide to LA or Secretary of State upon request any pupil information referred to in Schedule 1 of the regulations.</p> <p><u>Non-maintained special schools and Academies</u>; To provide to LA or Secretary of State upon request any pupil information</p>	<p>Education (Information About Individual Pupils) (England) Regulations 2013, Regulation 3</p> <p>Education (Information About Individual Pupils) (England) Regulations 2013, Regulation 5</p>

	referred to in Schedule 1 of the regulations.	
SEN Report	<p><u>Maintained Schools/Academy Schools:</u> To prepare a SEN report. (This may include obtaining/sharing of information)</p> <p><u>Co-operation and Assistance:</u> Specific duties on governing bodies to co-operate with local authority to enable the LA to perform its duties under the Act. (This may include obtaining/ sharing of information)</p>	<p>Children and Families Act 2014, section 69</p> <p>Children and Families Act 2014, section 29</p>

Duties incumbent upon Local Authorities, which can only be adequately discharged where, Schools obtain/share information for and with a Local Authority.

Type of information	Purpose/Indirect duty	Relevant law/ Lawful basis for processing
Attendance Information	Provide attendance information to the Local Authority, so the Council's duties in relation to Education Supervision Orders can be met.	Education Act 1996, section 444
Education Supervision Orders	Provide information to Local Authority in relation to Education Supervision Orders.	Children's Act 1989, section 36
Exclusion	Provide information to the Local Authority in relation to pupils excluded from school so that the Council may establish review panels.	Education Act 1996, section 51A
	Provide information to prescribed persons in relation to pupils excluded from school.	Education Act 2002, section 51A
Information relating to, the [local authority] or any school maintained by the authority	Allow Inspector of Schools to inspect or take copies of any records kept by, and any other documents containing information relating to, the [local authority] or any school maintained by the authority.	Education Act 2002, section 180

Information relating to person who are/have been qualifying workers or qualifying trainees	Provide information to Secretary of State or any “prescribed person” information relating to person who are/have been qualifying workers or qualifying trainees (anyone employed at or working for a school)	Education Act 2005,section 114
Information relating to the school or provision of education for pupils	Allow Chief Inspector to inspect, and take copies of, any records kept by the school, and any other documents containing information relating to the school or provision of education for pupils.	Education Act 2005, section 10
Pupil Information	<p>Duty of governing body to supply individual pupil information to (a) Secretary of State, and (b) any prescribed person for a purpose within the Act.</p> <p>Provide information about pupils aged between 13-10 to the Local Authority to fulfil their responsibilities in relation to the provision of leisure activities/ facilities for recreation and social and physical training</p>	<p>Education Act 1996, section 537a</p> <p>Education Act 1996, sections 507B and 508A</p>
Qualifying Complaint	Where a qualifying complaint is made to provide the Chief Inspector with such information as the Inspector requests to investigate such a complaint.	Education Act 2005, section 11B

Safeguarding and promoting welfare of pupils	<p>To ensure that functions of school are exercised with a view to safeguarding and promoting welfare of pupils.</p> <p>Provide information to Local Authority to assist with safeguarding and welfare of children.</p> <p>Provide information to LA to assist with it duties where a child is suffering from or likely to suffer significant harm</p> <p>Provide information/assist to the Secretary of State in any matter connected with his functions/functions of Local Safeguarding Boards</p> <p>Provide information to enable LA to safeguard and promote welfare of children within the requirements of the Act.</p>	<p>Education Act 2002, section 175</p> <p>Children's Act 1989, section 17</p> <p>Children's Act 1989, section 47</p> <p>Children's Act 1989, section 83</p> <p>Children Act 2004, section 11</p>
School Attendance Order	Provide information to the Local Authority in relation to pupils and parents in order to begin procedures for issuing a School Attendance Order.	Education Act 1996, section 437A

Special Educational Needs	Provide information in relation to pupils with special educational needs	Education Act 1996, section 317
Suitable Education	<p><u>Not received due to illness/ exclusion:</u> Provide information to the Local Authority regarding pupils who by reason of illness, exclusion may not for any period receive suitable education unless such arrangements are made for them.</p> <p><u>Not received for any other reason:</u> Provide information to the Local Authority to identify children residing in the area who are not receiving suitable education</p>	<p>Education Act 1996, section 19</p> <p>Education Act 1996, section 436A</p>

Employer Duties

Returns for Tax and National Insurance Purposes	Income Tax (Pay As You Earn) Regulations 2003 Social Security (Contributions) Regulations 2001	