



## **Parent and child privacy notice**

### **Introduction**

Under the General Data Protection Regulations (GDPR) we are obliged to inform you of the information we hold on you and your child(ren), what we use it for, who we share it with, and for how long we keep it. This privacy notice (also known as a fair processing notice) aims to provide you with this information. If it, or any information linked to it, is unclear, please contact the school office, or the school's Data Protection Officer (DPO).

We, St Aidan's VC C of E Primary School, are the Data Controller for the purposes of data protection law. We have appointed David Coy as our Data Protection Officer (DPO). He can be contacted by email: [david.coy@london.anglican.org](mailto:david.coy@london.anglican.org)

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## **1 Data held**

The categories of pupil and parent information that we collect, hold and share include but are not limited to:

- personal information (such as name, unique pupil number and address, parents' National Insurance number);
- contact details and preference (contact telephone numbers, email addresses, addresses);
- characteristics (such as ethnicity, religion, 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 data scores, tracking, and internal and external testing);
- relevant medical information (such as NHS information, health checks, physical and mental health care, immunisation program and allergies);
- special educational needs information (such as Education, Health and Care Plans, Statements, applications for support, care or support plans);
- safeguarding information;
- exclusion information;
- behavioural information;
- photographs (for internal safeguarding and security purposes, school newsletters, media and promotional purposes);
- CCTV images.

1.1 We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

## **2 Reasons for data collection**

We use the pupil and parent data to:

- support pupil learning;
- monitor and report on pupil progress;
- provide appropriate pastoral and medical care;
- aid safeguarding and pupil welfare;
- administer admission waiting lists;
- inform you about events and other things happening in the school;
- assess the quality of our services;
- comply with the law regarding data sharing and
- for research purposes.

## **3 Lawful basis**

Our lawful basis for collecting and processing parent and pupil information is defined under Article 6, and the following sub-paragraphs in the GDPR apply.

- Data subject gives consent for one or more specific purposes.
- Processing is necessary for the purposes of the legitimate interests assumed by the controller or a third party following a legitimate interest assessment.
- Processing is necessary to protect the vital interests of the data subject.
- Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).



- 3.1 Information is also further defined under Article 9, in that some of the information we process is deemed to be sensitive, or special, information, in which case the following subparagraphs in the GDPR apply.
- The data subject has given explicit consent.
  - It is necessary to fulfil the obligations of controller or of data subject.
  - It is necessary to protect the vital interests of the data subject.
  - Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions).
  - Reasons of public interest in the area of public health.
  - It is in the public interest.
- 3.2 Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how it can be withdrawn.
- 3.3 Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of the data.
- 3.4 An example of how we use the information you provide is the submission of the school census returns, including a set of named pupil records. This is a statutory requirement on schools under Section 537A of the Education Act (1996), which means that:
- schools do not need to obtain parental or pupil consent to the provision of information;
  - schools are protected from any legal challenge that they are breaching a duty of confidence to pupils.

## **4 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 GDPR, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

## **5 Storing pupil data**

We hold pupil data whilst the child remains at the school. The file will follow the pupil when he / she leaves, except where there is a legal obligation to retain the information beyond that period. We currently hold data according to the Information and Records Management Society's toolkit for schools. Where permission has been given by parents for the use of their children's photographs, these may remain in publications and displays.

- 5.1 We have data protection policies and procedures in place, including strong organisational and technical measures, which are regularly reviewed.

## **6 Who we share pupil information with**

We routinely share pupil information with appropriate third parties, including:

- our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions;
- the Department for Education;
- the pupil's family and representatives;
- educators and examining bodies;



- Ofsted;
- suppliers and service providers – to enable them to provide the service for which they were contracted;
- financial organisations;
- central and local government;
- our auditors;
- survey and research organisations;
- health authorities;
- security organisations;
- health and social welfare organisations;
- professional advisers and consultants;
- charities and voluntary organisations;
- police forces, courts, tribunals;
- professional bodies;
- schools that the pupils attend after leaving us;
- Haringey Education Partnership.

6.1 Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## **7 Why we share pupil information**

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). This data sharing underpins school funding and educational attainment policy and monitoring.

7.1 We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

## **8 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>.

## **9 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. Data 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>.



- 9.1 The DfE 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.
- 9.2 The DfE 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 it 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;
  - the arrangements in place to store and handle the data.
- 9.3 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.
- 9.4 For more information about the DfE's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>.
- 9.5 For information about which organisations the DfE has provided pupil information, (and for which project), please visit: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>.
- 9.6 To contact DfE: <https://www.gov.uk/contact-dfe>.

## **10 Your data protection rights**

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold, through a Subject Access Request.

- 10.1 Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent. They also have the right to make a subject access request with respect to any personal data the school holds about them.
- 10.2 If you make a subject access request, and if we do hold information about you or your child, we will:
- give you a description of it;
  - tell you why we are holding and processing it, and how long we will keep it;
  - explain where we got it from, if not from you or your child;
  - tell you who it has been, or will be, shared with;
  - let you know whether any automated decision-making is being applied to the data, and any consequences of this;
  - give you a copy of the information in an intelligible form.
- 10.3 Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.



10.4 Subject access requests should be made, in the first instance, to the school administrator.

10.5 Parents/carers also have a legal right of access to their child's educational record. To request access, please contact Kate Stevens, Headteacher, via the school office.

10.6 Parents/carers 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.

## **11 Concerns and complaints**

We take all concerns and complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

11.1 To make a complaint, please contact our DPO. Alternatively, you can make a complaint to the Information Commissioner's Office:

- Online: <https://ico.org.uk/concerns/>.
- By telephone: 0303 123 1113.
- By post to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

## **12 Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our DPO, David Coy, (E: [david.coy@london.anglican.org](mailto:david.coy@london.anglican.org)) or Headteacher, Kate Stevens.

## **13 Monitoring and review**

This privacy notice will be reviewed every two years, or earlier if the need arises, by the Care and Communication committee in collaboration with the DPO.

Date of policy: MAY 2023

Policy ratified: ..... (Signature) 15<sup>th</sup> May 2023 ..... (Date)

Review due: MAY 2025