

# Lowton West Primary School

## Privacy Notice

(For school pupils and their parents / carers)

Effective Date: 25th May 2018

Lowton West Primary School is committed to protecting the privacy and security of personal information. This privacy notice describes how we collect and use personal information about pupils, in accordance with the General Data Protection Regulation (GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data. This privacy notice explains how we collect, store and use personal data about our pupils.

We, Lowton West Primary School, are the 'data controller' for the purpose of data protection law. This means that we are responsible for deciding how we hold and use personal information about pupils.

### **Personal data we collect, process, hold and share**

We may collect, store and use the following categories of personal information from pupils and their parents / carers and may receive information about pupils and their parents / carers from a pupil's previous school:-

- Personal information (such as name, unique pupil number, date of birth, gender, address, contact details);
- Emergency contact and family lifestyle information such as names, relationship, phone numbers and email addresses;
- Personal characteristics (such as ethnicity, language, nationality, country of birth, special education needs and free school meal eligibility);
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Relevant medical information, registered doctors, details of any medical conditions, including physical, mental health and any special educational needs and disabilities

- Pupil and curricular records and performance and assessment information (including national curriculum assessment results and internal assessments).
- Behavioural information (including exclusions)
- Pupil transition, including Year 6 transition to high school
- Images of pupils engaging in school activities and images captured by the school's CCTV system;
- Information about the use of our IT, communications and other systems, and other monitoring information

### **Collecting this information**

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

### **Collecting and using your personal information**

We collect and hold personal information relating to our pupils and their parents/carers and may also receive information about pupils from their previous nursery/ pre-school, school, local authority and/or the Department for Education (DfE). We use the pupil and parent / carer data for:

- Pupil admissions (to administer pupil admissions and confirm the identity of prospective pupils and their parents);
- Providing education services and extra-curricular activities to pupils, and monitoring and reporting on pupils' progress and educational needs;
- Informing decisions such as the funding within school;
- Assessing performance and to set targets for schools;
- Safeguarding pupils' welfare and providing appropriate pastoral (and where necessary medical) care;
- Supporting teaching and learning;
- Improving our communication and information sharing with parents / carers;
- Assessing the quality of our services;
- Carrying out statistical analysis for diversity purposes;

- Legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care;
- Monitoring use of the school's IT and communications systems in accordance with the school's IT security policy;
- Making use of photographic images of pupils in school publications, on the school website and on social media channels;
- Security purposes, including CCTV;
- Carry out research;
- Comply with the law regarding data sharing.

### **Our legal basis for using this data**

We only collect and use pupils' personal data when the law allows us to. Most commonly, we will use your information in the following circumstances:-

- Where we need to comply with a legal obligation;
- Where we need to perform an official task in the public interest;
- Where we have obtained consent to use it in a certain way;
- When we need to protect the individual's vital interests (or someone else's interests);
- Vital interests: the processing is necessary to protect someone's life.
- The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at: <https://www.gov.uk/education/data-collection-and-censuses-forschools>.

Where we have obtained consent for collecting and using pupils' personal data overlap, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

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 this data.

We need all the categories of information in the list above primarily to allow us to comply with legal obligations. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

## Sharing Data

We may need to share your data with third parties where it is necessary. 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's the only way we can make sure you stay safe and healthy or we are legally required to do so.

We share pupil information with: -

- The Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013;
- The pupil's family and representatives;
- The Local Authority, Central and Local Government;
- Ofsted;
- Other schools that pupils will attend;
- NHS and other health services, including CAMHS, Speech and Language Services, Occupational Health and Physiotherapy services;
- Welfare services (such as social services);
- Other services such as Educational Psychology Service, Targeted Education Support Services, Wigan Family Welfare;
- Law enforcement officials such as police, HMRC;
- Local Authority Designated Officer;
- Professional advisors and consultants;
- Suppliers and service providers – to enable them provide the service we have contracted them for
- Support services, including insurance, IT support, Learning platform providers, information security, Live Kitchen, SIMs (Capita), Texting and email services (Call Parents/ Contact Group), Educational School Trip Providers e.g. PGL;
- Assessing and tracking such as: Target Tracker, O'Track, Orbit, Premier Sport and Testbase;
- Our auditors;
- Survey and research organisations;
- Charities and voluntary organisations;

Information will be provided to those agencies securely or anonymised where possible. The recipient of the information will be bound by confidentiality obligations, we require them to respect the security of your data and to treat it in accordance with the law.

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

We do not share information about our pupils with anyone without consent unless otherwise required by the law. For example, we share pupils' data with the Department for Education (DfE) on a statutory basis which underpins school funding and educational attainment. To find out more about the data collection requirements placed on us by the DfE please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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.

### **Storing pupil data**

The school keep information about pupils on computer systems and sometimes on paper. Except as required by law, the school only retains information about pupils for as long as necessary in accordance with timeframes imposed by law and our internal policy.

### **Automated Decision Making**

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision making in limited circumstances. Pupils will not be subject to automated decision making, unless we have a lawful basis for doing so and we have notified you.

### **Security**

We have put in place measures to protect the security of your information (ie against it being accidentally lost, used or accessed in an unauthorised way).

### **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**

Parents/carers have a legal right to access to their **child's educational record**. To request access, please contact Mrs J. Westhead (Headteacher).

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 13), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

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 for
- 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

If you would like to make a request please contact Mrs J. Westhead (Headteacher) in writing.

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

### **Other rights**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

If you want to exercise any of the above rights, please contact Mrs J. Westhead (Headteacher) in writing.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **Right to Withdraw Consent**

In circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact Mrs J. Westhead (Headteacher). Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## **Contact**

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, please contact the Headteacher (Mrs J. Westhead).

## **Complaints**

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection 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.

To make a complaint, please contact Mrs J Westhead, Headteacher.

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues.

Report a concern online at <https://ico.org.uk/concerns>.

Call 0303 123 1113

Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF

## **Changes to This Privacy Notice**

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice.

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.