Gomersal St Mary's CE Primary School

Privacy Notice for Pupils and their Families

Under UK data protection law, individuals have a right to be informed about how the school uses any personal data. The school complies with these requirements by providing privacy notices to inform individuals about how their personal data will be processed.

This privacy notice explains how the school collects, stores, uses and deletes personal data about pupils and their families. This document is based on a variety of sources and has been tailored to the specific needs of the school.

1 What this Privacy Notice is for

Gomersal St Mary's CE Primary School collect, hold, use and share information about our pupils and their families. This is known as “personal data” and you have rights around that data, including knowing how and why we are processing the data. “Processing” data means collecting, storing, using, sharing or disposing of it.

For the purposes of Data Protection legislation Gomersal St Mary's CE Primary School is a data controller and is registered as such with the Information Commissioner’s Office (ZA189996). This means the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed.

In some cases, personal data processing will be outsourced to a third-party; however, this will only be done with your consent, unless the law or our policies allow the school to share your data. Where the school outsources data to a third-party processor, the same data protection standards that the school upholds are imposed on the processor.

2 The types of information that we process

The types of pupil and/or parent or carer information that the school collects, holds and shares include but are not restricted to the following:

- personal information (such as names of both pupils and their parents or carers and their addresses, pupil dates of birth and unique pupil numbers).
- attendance information (such as number of absences, absence reasons and any previous schools attended).
- assessment and attainment information (such as National Curriculum assessment results e.g. Key Stage 2 results, phonics results and student performance at different data collections, and any relevant results).
- behavioural information (such as exclusions and any alternative provision put in place)
- safeguarding information including notifications from the police, court orders and/or social care involvement.
- correspondence and complaints.
- your use of school devices and school networks as part of our safeguarding procedures.

2.1 Special category data (sensitive information)

Some of the information that we collect is more sensitive or can be classified as special category data, this includes:

- characteristics (including ethnicity and language).
- safeguarding information (such as court orders and professional involvement).
- special educational needs.
- medical information that we need to be aware of including SEND, mental and physical health (including your doctor’s information, child health, dental health, allergies, medication and dietary requirements).
- free school meal eligibility.
- photographs, videos and audio recordings.
- CCTV footage.

- other funding (such as Pupil Premium, High Needs Funding and Catch-Up Funding).

3 Why does the school collect and use your information?

Gomersal St Mary's CE Primary School has the legal right to collect and use personal data relating to pupils and their families and may also receive information regarding them from their previous school, Local Authority (LA) and/or the Department for Education (DfE).

Whilst the provision of the majority of personal data is mandatory, some of it is provided to the school on a voluntary basis. In order to comply with the UK data protection requirements, the school will inform you whether you are required to provide certain information or if you have a choice.

3.1 Pupil information

The personal data of pupils is collected and used for the following reasons:

- to support learning.
- to monitor and report on pupil attainment and progress.
- to provide appropriate pastoral care.
- to assess the quality of our services.
- to keep children safe.
- photos are used for identification purposes (safeguarding), and celebration purposes (to record work, classes and school events).
- to meet the legal duties placed upon us by the Department for Education.
- to comply with the law in general.
- for site safety and security.
- to protect against fraud.
- to streamline systems.

3.2 Family information

We collect and use information about our pupils' families:

- to fulfil our legal obligations.
- for the admissions process.
- for communication and reporting purposes.
- for safeguarding and welfare purposes.
- to keep families informed about events and emergencies.
- to process payments.
- to gather feedback about our work.

3.3 The lawful basis for collection and use of personal data

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing pupil and family information are:

- Article 6(a) - Your consent (for anything which does not fall into the purposes explained below).
- Article 6(c) - Compliance with our legal obligations as set out in the Education Act 1996 (as amended). We are required to share information about our pupils with the (DfE) under regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. In addition, there are extensive statutory obligations that a school is subject to.
- Article 6(e) - Being necessary for us to carry out tasks that are in the Public Interest.

The ways we collect and use sensitive pupil and family information are lawful based on:

- your explicit consent.
- for compliance with certain legal obligations.
- for exercising certain legal rights.
- for protecting a person's vital interests in an emergency.
- for health and public health reasons.
- or for carrying out tasks that are in the substantial public interest including for safeguarding purposes.

3.4 Marketing purposes

Where a family member gives us consent, we may send them marketing information by message or email, such as for promoting school events, campaigns or charities. Consent can be withdrawn at any time by contacting us.

3.5 Automated decision making & profiling

We do not use any of your personal information to make automated decisions about you, or to profile you. If this changes in the future, privacy notices will be updated to explain both the processing and your right to object to it.

4 How we collect pupil and family information

We collect pupil information using admission forms completed by parents or carers when a pupil joins our school, data collection forms, information produced from our day-to-day interaction with pupils, and other information provided by; parents/carers, any previous school/provisions, local authorities, NHS, Police, the Department for Education (DfE) and by secure file transfer Common Transfer File (CTF).

We sometimes audio or video record sessions, lessons or assessments for pupil or staff development and assessment. This will generate personal data including pupil images, names, contributions, and will be protected, processed, and retained in the same way as all personal data, in line with the school's policies.

Whilst most of the pupil information you provide to us is mandatory, some of it is requested on a voluntary basis. We will let you know, when we ask you for information, whether you are required to provide the information and your rights in relation to this.

5 How, where and for how long we store pupil and family information

We store pupil information securely on the School's IT network and cloud. Secure storage is provided for paper-based records.

We only keep the information for the length of time we need it for, as shown in our records management policy.

We dispose of personal information securely when we no longer need it.

6 Sharing pupil information

We routinely share pupil information with:

- Schools that the pupils attend after leaving us.
- Feeder schools.
- Our local authority.
- Other relevant local authorities.
- Our Governing Body.
- The Department for Education (DfE) Inc. Learner Record Services, the National Pupil Database and the Teaching Regulation Agency.
- Police.
- NHS (agencies and services) including the school nursing service.
- External systems used by the school to carry out day to day processes and requirements. For example Arbor Education (Schools MIS system and parental portal). A full list of these systems is available from school.

6.1 International Transfers

Your personal information may be transferred outside the UK and the European Economic Area ('EEA'), including to the United States. Where information is transferred outside the UK or EEA to a country that is not designated as "adequate" in relation to data protection law, the information is adequately protected by the use of International Data Transfer Agreements and security measures, and other appropriate safeguards.

6.2 Freedom of Information Act and Environmental Information Regulations 2004

As a public body, our school is subject to requests made under the above legislation. However, we will never disclose personal data in our responses to these requests where to do so would contravene the principles of data protection.

6.3 Why we regularly share pupil information

We share pupil or family information where our policies and the law allows us to do so, or you have given us consent to do so.

6.4 Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. All data is transferred securely and held by the DfE under a combination of software and hardware controls, which meet the current government security policy framework.

6.5 Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under the Schools Admission Code, including conducting Fair Access Panels.

7 Requesting access to personal data and other rights

Under data protection law, parents and pupils have the right to request access to the information about them that we hold, and in some cases, parents can make the request on the pupil's behalf.

Parents also have the right to access their child's educational record.

Family members and carers also have the right to request access to information about them that we hold.

You also have the right to:

- be informed about the collection and use of your personal data.
- have inaccurate personal data changed if it is inaccurate or completed if it is incomplete.
- Ask us to delete your personal information, often known as the 'right to be forgotten'; however, this does not apply where, amongst other things, processing is necessary to comply with a legal obligation.
- restrict the way we are using your information; although, as above this is a limited right.
- object to the way we are using your information; though other than for marketing purposes, this is also limited as above.

Where we rely on your consent to collect and use your data, you have the right to withdraw that consent. If you do change your mind, or you are unhappy with our use of your personal data, please let us know.

You also have rights in relation to automated decision making and profiling, though these are not currently relevant as we do not carry out automated decision making or profiling.

Finally, the right to complain about the way we use your personal information to the ICO, or to seek compensation through the courts

If you would like to request access to your data, or use any of the other rights listed above, please contact our Data Protection Officer via the school office.

8 How Government uses your information

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school).

8.1 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

8.2 The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in 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.

The data in the NPD is provided as part of the operation of the education system and is used for research and statistical purposes to improve, and promote, the education and well-being of children in England.

The evidence and data provide DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education.

To find out more about the NPD, go to https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information

8.3 Sharing by the DfE

The DfE will only share pupils' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, the law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit: https://www.gov.uk/data-protection-how-we-collect-and-share-research-data

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: https://www.gov.uk/government/publications/dfe-external-data-shares

8.4 How to find out what personal information the DfE holds about you

Under data protection regulations, you are entitled to ask the Department:

- if they are processing your personal data.
- for a description of the data they hold about you.
- the reasons they're holding it and any recipient it may be disclosed to for a copy of your personal data and any details of its source.

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address: https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter or

To contact the DfE call 0370 0002288 or visit https://www.gov.uk/contact-dfe

9 Complaints

We take any 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.

Any complaints received should receive a formal acknowledgement within 30 days and a response without undue delay. If you are not happy with our response, then you can raise a complaint with the Information Commissioner's Office, details of how to do this can be found here https://ico.org.uk/make-a-complaint/data-protection-complaints/

10 Contacts

If you have any questions or concerns or would like more information about anything mentioned in this privacy notice, please contact the school office or our Data Protection Officer.

- Call 01274 874550
- Email office@gsmcep.co.uk

Our Data Protection Officer is Data Tools for Schools Limited and they may be contacted via the school office.

To contact the DfE:

- Call 0370 0002288
- Visit https://www.gov.uk/contact-dfe
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