St Peter's CofE Primary School

Privacy Notice

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 pupils.

Michelle Easley is the Data Protection Officer, whose role is to oversee and monitor the school's data protection procedures, and to ensure it is compliant with the GDPR.

The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

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

Your Other Rights Regarding your Data

Under UK Data Protection Law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data where it is likely to cause, or is causing damage or distress
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing

- Withdraw your consent where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office if you feel we have not used your information in the right way.
- Claim compensation for damages caused by a breach of the Data Protection Regulations

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't/haven't the right to object, but you have the right to withdraw consent.

We use this data

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare and safeguarding children
- Assess the quality of our services
- Carry out research
- Administer admissions waiting lists
- Comply with the law regarding data sharing
- To show case learning beyond the classroom
- To help manage the school budget
- Enable you to be paid
- Check your entitlement to work in the UK
- Determine the terms on which you work for us
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable equalities monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body

- Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely.
- Ascertain your fitness to work
- Manage sickness absence

Our legal basis for using this data

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with legal obligation
- We need it to perform an official task in the public interest (in our case, educating young people)

Less commonly, we may also process pupils' personal data in situations where:

- We need to protect the individual's vital interests (or someone else's interests)

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 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.

Collecting this information

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

How we store this data

We keep personal information about pupils while they are attending our school in both electronic and paper formats. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. All stored data is kept according to the Records Management Society's Retention Guidelines for Schools and destroyed after the appropriate interval.

Data Retention Examples

1. Short Term – no longer than is required
2. Medium Term- up to a year after child has left
3. Long Term – up to 5 years after child has left
4. Very Long Term – until pupil is 25 years or older

Short Term	Trip consents, notes

Medium Term	Admissions information, attendance data, behaviour records, exclusions, school meal payments, pupil medical information, trip payments
Long Term	Admission appeals, attainment data, free school meal eligibility, contact information, photos/video/images/samples of learning
Very Long Term	Medical incidents, safeguarding information (although records are passed up to receiving secondary schools)

Data Sharing

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

Where it is legally required or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Schools that the pupils attend after leaving us
- Our Local Authority
- The Diocesan Education Service
- The Department for Education (DfE)
- The Police and Law Enforcement
- Suppliers & Service Providers
- Birmingham Children's Trust (where required)
- Health Authorities
- Government departments or agencies
- Our regulator (e.g. Ofsted)
- Financial organisations
- Our auditors
- Survey and research organisations
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations

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

National Pupil Database

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census

Some of this information is then stored in the *National Pupil Database* (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards. 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-andsupporting-information.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on *how it collects and shares research data.*

You can also *contact the Department for Education* with any further questions about the NPD.

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

Parents and Pupils' Rights Regarding Personal Data

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

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.

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

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

If you would like to make a request please contact our Data Protection Officer.

Parents/carers also have a legal right to access to their child's educational records. To request access, please contact our Data Protection Officer.

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.

To exercise any of these rights, please contact our Data Protection Officer.

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 in the first instance.

To make a complaint, please contact our Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- 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, Cheshire SK9 5AF

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Officer**: on 0121 464 2126 or by email on enquiry@st-petersce.bham.sch.uk

This notice is based on the *Department for Education's model privacy notice* for pupils, amended for parents and to reflect the way we use data in this school.