

BARKISLAND CE VA PRIMARY SCHOOL

Privacy Notice (How we use personal information)

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 'information notices') to individuals and we also make this available on the school website.

Introduction

The General Data Protection Regulation (GDPR) sets out the law relating to data protection and this privacy notice and the way we handle your personal data is all carried out in accordance with that law.

Under the GDPR anyone who holds and controls the way in which data is used is known as a data controller. We, Barkisland CE VA Primary School, are a 'data controller' for the purposes of the data protection law.

This privacy notice sets out the following information:

- The personal data we hold
- Why we use this data
- Our legal basis for using this data
- Collecting this personal data
- How long we store this data
- Data Sharing - Who we share any personal data with and why
- Parents and Pupils' rights regarding personal data
- Other Rights
- Complaints
- Data Protection Officer

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 and any Legal documents that may be relevant eg court orders
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, language, religion, eligibility for free school meals, or special educational needs

- Exclusion information
- Behaviour information
- Accident (at school) information
- Details of any medical conditions, including physical and mental health
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs - Individual and group photographs used in school, on display boards, and on the school website.
- We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.
- We also hold the parent/carers and emergency contact details that you have provided for your child.

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Why we use this data

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils
- to contact parents and keep them informed
- to communicate information about our school on the website
- to celebrate individual & class achievements in assemblies
- to provide an online payment system

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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 a legal obligation
- We need it to perform an official task in the public interest
- Less commonly, we may also process pupils' personal data in situations where:
- We have obtained consent to use it in a certain way
- 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.

This legal basis for collecting and using personal data is set out in Article 6 and Article 9 of the GDPR.

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Collecting pupil 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.

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How long we Store this data

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. The schedule set out in the [Information and Records Management Society's toolkit for schools](#) sets out how long we keep information about pupils, what we retain and what we dispose of and when.

We keep information about you on computer systems and paper. There are strict controls on who can see your information.

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Data sharing – who we share any personal data with and why:

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:

- *Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions*
- *The Department for Education – to meet our legal obligation to provide census information (see further information below) and information on attainment and progress.*
- *The pupil's family and representatives – in order to provide the child's parents/carers with information about performance, attainment, attendance and behaviour*
- *Educators and examining bodies – externally marked test papers contain pupil names and dates of birth.*

- *Our regulator e.g. Ofsted – requires data to analyse performance of the school. On visiting the school the inspector will ask to see staff applications/references, pupil information, reports and referrals.*
- *Suppliers and service providers – to enable them to provide the service we have contracted them for such as online digital learning environments and our online tracking system.*
- *Financial organisations – such as moneyless payment systems, giving parents the facility to pay for dinner money and school trips digitally.*
- *Central and local government - termly census data.*
- *Our auditors – financial auditors who inspect our school every 3 years.*
- *Survey and research organisations – publishing companies and local universities, carrying out case studies on the performance of our pupils.*
- *Health authorities – school nursing team, national NHS data collection of heights and weights initiative for Reception and Year 6 children.*
- *Children’s Social Care*
- *Security organisations*
- *Health and social welfare organisations – if there is a medical need or arrangement for a particular child or if it is in the interests of safeguarding the child.*
- *Professional advisers and consultants – eg - Writing moderators for Standards and Testing Agency – who select pupils work to moderate.*
- *Police forces, courts, tribunals – these services require access to data should an incident occur to one of our pupils, staff, families.*
- *Schools that the pupil’s attend after leaving us.*

(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.)

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 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.

Transferring data internationally

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 and ensure that the organization outside the EEA is compliant with the GDPR. We do not currently transfer personal data to a country outside the EEA and don't propose to in the future but will liaise directly with any individuals who may move to a country outside the EEA.

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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 (see details below under the 'Data Protection Officer' section).

Parents/carers also have a legal right to access to their child's **educational record**. To request access, please contact the Head Teacher, Becky Schofield, via the school office. The school will, on an annual basis, share individual Data Collection Sheets with you in order to ensure that our records are accurate and up to date.

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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.

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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

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Data Protection Officer

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

Debbie Pettiford LL.B LL.M

Solicitor and Associate Fellow of the Higher Education Academy

dpo.justyourvoice@outlook.com

07711250786

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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.