

Privacy Notice

The Bythams Primary School



Reviewed and updated: January 2021

Next review: January 2022

Signed: *Debbie Shepherd*

Name: Debbie Shepherd
(Acting Headteacher)

Date: *1.2.21*

Signed: *Jeremy Millar*

Name: Jeremy Millar
(Chair of Governors)

Date: *1.2.21*

Bythams Primary School: Privacy Notice (How we use pupil information)

The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors' information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, KS2 results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- attendance on trips and visits (such as swimming and sporting events)
- photographs and video clips of the child for general display purposes, including on our school website, promotional material and press coverage.
- records relating to individual children e.g. care plans, referrals to external agencies i.e. Educational Psychologist or information received from external agencies
- accidents and pre-existing injuries forms
- observation, planning and assessment records of children

The categories of parental information that we process include:

- name
- home address
- telephone numbers, and personal email addresses.
- national Insurance number.

Why we collect and use pupil and parental information:

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment and progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us for DfE data collections
- g) to share the work of the school with others (website; prospectus; website)

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

- we need to perform the contract we have entered into with you.
- we need to comply with a legal obligation.
- it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare where:

- we need to protect your interests (or someone else's interests).
- it is needed in the public interest or for official purposes.

In addition, we may process 'special categories' of personal information. This may include:

- a) racial or ethnic origin
- b) religious or philosophical beliefs
- c) health

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- in limited circumstances, with parent explicit written consent.
- where it is needed in the public interest, such as for equal opportunities monitoring
- Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect a child or a parents/carers' interests (or someone else's interests) and the child or parent as is appropriate is not capable of giving consent, or where parent has already made the information public.

How we collect pupil and parental information:

We collect pupil information from:

- the enrolment process when your child starts school until the children stop using the school's services.
- Common Transfer Files (electronic files holding data such as previous assessments) when a child transfers from another school
- School document files when a child transfers from another school (such as school reports)

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of

collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

How we store pupil and parental data:

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which will be available on the school website. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a child benefiting from the school's services or a parent, as is appropriate, we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

Who we share pupil and parental information with:

We routinely share pupil information with third parties which includes third-party service providers (including contractors and designated agents), local authorities, regulatory bodies, schools and other entities within our group. The following third-party service providers process personal information about you for the following purposes:

- Our local authority – for funding and monitoring reasons (e.g. equal opportunities and uptake of funded hours)
- Regulatory bodies – for ensuring compliance and the safety and welfare of the children
- schools that the pupils attend after leaving us – to provide a successful transition by ensuring information about the child's progress and current level of development and interests are shared
- educational support services (for example the Specialist Teaching Team; Educational Psychologist Team)
- the Department for Education (DfE)

Why we regularly share pupil information:

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

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

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, i.e. the school census under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

How Government uses your data:

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)

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>

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.

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.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

Sharing by the Department:

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- 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 DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

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>

To contact DfE: <https://www.gov.uk/contact-dfe>

Rights of access, correction, erasure, and restriction:

You have a duty to inform us of changes. 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.

Under certain circumstances, by law you have the right to:

- request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- request erasure of your personal information. This enables parents/carers to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your

personal information where you have exercised your right to object to processing (see below).

- object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- request the restriction of processing of your personal information. This enables parents/carers, as is appropriate, to ask us to suspend the processing of personal information about you for example if you want us to establish its accuracy or the reason for processing it.
- request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the office in writing.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights).

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 the limited 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 the office. 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.

Changes to 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.

If you have any questions about this privacy notice, please contact the school office or the Headteacher.