



Privacy Notice for Parents and Carers of Pupils at Moordown St John's Primary School

How we use pupils' personal data

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 'fairprocessing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about pupils, in line with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

We, Moordown St John's CE Primary School, are the 'data controller' for the purposes of data protection law. Our Data Protection Officer is Kim Bainton (Contact details shown below in Section 9, How to Contact us).

1.0 The personal data we hold

- Personal information (such as name, unique pupil number, date of birth and address)
- Contact details, contact preferences, identification documents
- Attendance information (such as sessions attended, number of absences, absence reasons)
- Assessment information (of both internal and external assessments/tests)
- Pupil and curricular records
- Special Educational Needs information
- Behavioural information (such as exclusion details, positive rewards)
- Relevant medical information/medical conditions including physical and mental health
- Details of any support received, including care packages, plans and support providers
- Safeguarding information
- Photographs/images
- CCTV images captured in school

We will also receive information from your child's previous school or pre-school, local authorities, professional advisors/consultants, the Department for Education (DfE) and the Learning Records Service (LRS).

We may also collect, store and use information about your child that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Ethnicity, language, religious beliefs (*the school no longer holds nationality or country of birth*)
- Free School Meal eligibility
- Health (including any medical conditions)

Schools and local authorities have a (legal) duty under the General Data Protection Regulation (GDPR) to ensure that any personal data they process is handled and stored securely.

2.0 Why we use this data

We use pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to have relevant medical information on each child
- to protect pupil welfare
- to have emergency contacts for each child
- to administer admissions waiting lists
- to assess the quality of our services
- to comply with the law regarding data sharing, including sharing data with the local authority, the Department for Education and the NHS.
- To carry out research

3.0 Our lawful 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 (eg The Education Act 1996)
- 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.

We also need to use sensitive personal data called "special category data" which requires more protection to keep it safe. This is often information you would not want to be widely known and is very personal to your child. It includes ethnicity, language, religious beliefs, free school meal eligibility, health (including any medical conditions), service child indicator.

We will take extra care of this data. The legal reason for us to collect and use this personal information is:

- to perform our statutory duties and it is required by law
- for reasons of public interest.

4.0 Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

5.0 How we store this data

We keep information about pupils on computer systems and sometimes on paper.

We hold pupils' education records securely until they change school. The records will be transferred to the new school(s), where they will be retained until the pupil reaches the age of 25, after which they will be safely destroyed.

We may also keep data beyond their attendance at our school if this is necessary in order to comply with our legal obligations.

Full details of our data retention schedule can be found in the Information Management Toolkit for Schools, which is in the policies / Data protection/GDPR section of our website.

6.0 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:

- *The Academy Trust – for monitoring and school improvement purposes*
- *Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions (see below)*
- *The Department for Education (DfE) – to meet our legal obligations to share certain information (see below)*
- *Educators and examining bodies – such as for administration of Key Stage 2 SATs*
- *Professional bodies, advisors and consultants – such as for school improvement*
- *Catering and Free School Meal Providers – for the provision of meals*
- *School Nursing Service – inoculations/height and weight checks/school health checks*
- *NHS Vision Service – school eyesight checks*
- *NHS Dental Service – school dental checks*
- *NHS Track and Trace Covid 19 – to report on those in close contact with anyone who has tested positive for Covid-19 within the setting.*
- *Pupil's parents/carers/representatives – to report on pupil progress*
- *Suppliers and service providers – to enable them to provide the service we have contracted them for*
- *Health and social welfare organisations – such as to provide advice/support*
- *Charities and voluntary organisations – such as to provide advice/support*
- *Police forces, courts, tribunals – such as for the prevention/detection of crime or fraud; or there is an issue with a pupil that puts the safety of other pupils or staff at risk*
- *Survey and research organisations ~ such as for statistical analysis/school improvement*

- *Charities and voluntary organisations – such as to provide support/advice*

We may also share basic pupil data with the following in order to set up:

- *Teaching & learning websites and apps for pupils to use in school and/or at home*
- *Electronic messaging service for parents*
- *Online parents' evening booking system*
- *Online payments services*
- *School photographer*

As part of the statutory school inspection process, we are required to share pupil information with our regulators, OfSTED and SIAMS (Statutory Inspection of Anglican and Methodist Schools). Information may also be shared with our auditors. Where possible such data is anonymised before sharing.

Occasionally we may share information with the Health and Safety Executive as part of our legal obligation to report certain accidents/incidents/near misses under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations).

Data sharing with the Department for Education (DfE)

We share pupil data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Data sharing with the Local Authority

We share pupil data with the local authority on a statutory basis. There are several acts and regulations that require the share of data between schools and the local authority including;

- Education Act 1996
- Education Act 2002
- Education and Inspections Act 2006
- Education (Pupil Registration) (England) Regulations 2006
- Education (Information About Individual Pupils) (England) Regulations 2013
- Education (Pupil Registration) (Amendment) (England) Regulations 2016
- Education Act 2002, as amended by the Education Act 2011;
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by the Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014.

The local authority also provides information to the Health Service and the LA Youth Service on behalf of the school. Where possible data is anonymised before sharing.

Data sharing with NHS Track and Trace – Covid-19

The law on protecting personally identifiable information, known as the General Data Protection Regulation (GDPR), allows Public Health England to use the personal information collected by NHS Test and Trace Service.

Therefore if required to do so by the NHS Track and Trace Services, Moordown St John's Primary School will provide the contact details of all children and adults that have been in close contact with anyone that has tested positive for Covid-19 within the setting.

This is in accordance with Article 6(1)(e) of the GDPR '*processing is necessary for the performance of a task carried out in the public interest*'.

For more information please see the following government guidance.

<https://www.gov.uk/guidance/nhs-test-and-trace-how-it-works#how-nhs-test-and-trace-service-works>

<https://contact-tracing.phe.gov.uk/help/privacy-notice>

6.1 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>.

6.2 The National Pupil Database

The National Pupil Database (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.. 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 the 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

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

6.3 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.

7.0 Your rights: requesting access to your child's personal data (Subject Access Request)

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold.

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.

To make a Subject Access Request for personal information please contact our Data Protection Lead, Nicky Armstrong. *Please see Point 9 'How to contact us'.*

For most of the year, we will aim to provide this information in a timely manner, but during school holidays this may become more difficult.

As an Academy, there is no automatic parental right of access to your child's educational record. The school may choose to provide this upon request, however the best interests of the child will always be considered. To request access to your child's educational record, please contact The Board of Directors, via our Data Protection Lead. If access is agreed, this information will usually be provided free of charge.

7.1 Your other rights regarding your child's data

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

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

8.0 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 our Data Protection Lead in the first instance; contact details are shown below.

To make a complaint, please contact our Data Protection Officer, contact details are shown in Point 9 below.

Alternatively, you can make a complaint direct to the Information Commissioner, see Point 10.

9.0 How to contact us for further information

If you would like further information or have a concern or complaint about how we are using your child's information, we would ask you to contact us:

Our school-based Data Protection lead is Nicky Armstrong (Admin & Personnel Manager)
Telephone: 01202 527683 ext 202 Email n.armstrong@st-johns.bournemouth.sch.uk
Nicky Armstrong, Moordown St John's CE Primary School, Vicarage Road, Bournemouth BH9 2SA

Our independent Data Protection Officer is Kim Bainton (School Business Manager, Kingsleigh Primary School) Telephone: 01202 528893 Email kim.bainton@kingsleighprimary.co.uk
Kim Bainton, Kingsleigh Primary School, Hadow Road, Bournemouth BH10 5HT

10.0 Information Commissioner

For further information about Information Rights legislation or to make a complaint, please contact the Information Commissioner's Office at www.ico.org.uk or telephone **0303 123 1113** or write to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Concerns can also be reported online at <https://ico.org.uk/concerns/>