

Privacy Notice for Parents and Pupils – How we use your information

2021-2022

Who are we? Weddington Primary School is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Weddington Primary School is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: Z7122532 (Tier 1)

You can contact the school as the Data Controller in writing at: Weddington Primary School, Winchester Avenue, Weddington, Nuneaton, CV10 0DR

What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic and/or biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

What personal information do we process about pupils and parents?

The pupil and parent information that we collect, hold and share includes:

- Personal information including a pupil's name, date of birth, unique pupil number and home address
- Characteristics such as ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information such as sessions attended, number of absences and absence reasons.
- Educational information including records of work, assessment results, relevant medical information, details of pupils' special educational needs, exclusions/behavioural information.
- Contact information for parents, carers and other relatives, including telephone numbers, home addresses and e-mail addresses.
- Information about a child's home life, where required as part of necessary safeguarding and

welfare processes.

Why do we use personal information?

We use 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

Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us 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.

What are the legal reasons for us to process your personal information?

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

1) To comply with the law

We collect and use general purpose pupil information in order to meet certain legal requirements and legal obligations placed upon the school by law. We therefore are required to process personal information for such purposes even if you have not consented to us doing so.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the school in writing.

2) To protect someone's vital interests

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and with whom we may share that information with is set out in Table 2.

3) With the consent of the individual to whom that information 'belongs'

Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake, on this basis, and with whom we may share that information is set out in Table 3.

4) To perform a public task

It is a day-to-day function of the school to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that pupils are properly educated and supported

Details of the type of processing that we may undertake on this basis and with whom we may share that information with is set out in Table 4.

Special category personal information

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Processing relates to personal data which is manifestly made public by the data subject
- 3) Necessary for establishing, exercising or defending legal claims
- 4) Necessary for reasons of substantial public interest
- 5) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 6) Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of special category personal information data that we process is set out in the tables attached.

Who might we share your information with?

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- NHS departments including the School Nurse service

We do not share information about our pupils or parents unless the law and our policies allow us to do so.

Please refer to the tables for information about what personal information is shared with which specific third parties.

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>.

What do we do with your information?

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected The school monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

How long do we keep your information for?

In retaining personal information, the school complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under

which the school are required to retain the information.

A copy of those schedules can be located using the following link:

<http://irms.org.uk/page/SchoolsToolkit>

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.

What are your rights with respect of your personal information?

Under data protection law, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or to have access to your child's educational record, contact the School Data Protection Officer at Warwickshire Legal Services via email at schooldpo@warwickshire.gov.uk or alternatively;

School Data Protection Officer
Warwickshire Legal Services
Warwickshire County Council
Shire Hall
Market Square
Warwick
CV34 4RL

****Please ensure you specify which school your request relates to.**

You also 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; and
- 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, you should raise your concern with us, in the first instance, or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Review

The content of this Privacy Notice will be reviewed again in September 2022.

Table 1 – Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Special Category– additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Admissions register – To KEEP for every pupil & Attendance register – To KEEP for every pupil	Education (Pupil Registration) (England) Regulations 2006 Regulation 4,10,11,14,15,12	Preserve every entry in the admissions register for a period of 3 years after the date it was first made.	Inspection by HM Chief Inspector of Education or by a LA Officer authorised for the purpose Persons authorised to inspect register at Regulation 10 is permitted to make extracts from such register Every school is to provide the LA the full name and address of every registered pupil of compulsory school age who fails to attend school regularly(reg 12)	Legal Obligation for all information in this table
	Regulation 15	When the admission register is kept by means of a computer, to make a back up copy of each, not less than once a month in the form of an electronic, microfiche, or printed copy.		Legal requirement
Common Transfer File	Education (Pupil Information) (England) Regulations		When a pupil ceases to be registered at a school and	Legal requirement

	2005, 6		becomes registered at a new school, to TRANSFER the pupils common transfer File to the new school.	
Curricular record	Education (Pupil Information) (England) Regulations 2005, 4		To keep a curricular record (academic results, skills and progress), UPDATED at least once every school year, in respect of every registered pupil at school.	Legal requirement
	Education (Pupil Information) (England) Regulations 2005, 5		Where a pupil is under consideration for admission to another school higher education institute the governing body shall transfer the pupils curricular record to the responsible person following a written request	
Educational record	Education (Pupil Information) (England) Regulations 2005, 5		Make the pupils Educational record available for inspection by the parent free of charge	
	Education (Pupil Information) (England) Regulations 2005, 6		When a pupil ceases to be registered at a school and becomes registered at a new school, to transfer the pupils Educational	

			record to the new school	
Pupil Information	Schools maintained by the LA To provide to LA or Secretary of state upon request any pupil information referred to in schedule 1 of the regulations.	Education (information About Individual Pupils)(England) Regulations 2013, Regulation 3	LA	
Sen report	To prepare a SEN report (This may include obtaining/sharing of information	Children and Families Act 2014, section 29	LA Specialist teams	

Other duties upon Local Authorities, which can only be adequately discharged where, Schools obtain/share information with the Local Authority.

Type Of Information	Purpose/Indirect duty	Relevant law/Lawful basis for processing
Attendance information	Provide attendance information to the LA so that the councils duties in relation to Education Supervision Orders can be met	Education Act 1996, section 444
Education Supervision Orders	Provide information to Local Authority in relation to Education Supervision orders	Children's Act 1989, section 36
Exclusion	Provide information to the LA in relation to pupils excluded from school so that the Council may establish review panels. Provide information to prescribed persons in relation to pupils excluded from school.	Education Act 1996, section 51A Education Act 2002, section 51A
Information relating to the LA or any maintained school by the authority	Allow Inspector of schools to inspect or take copies of any records kept by, and any other documents containing information	Education Act 2002, section 180

	relating to, the LA or any school maintained by the authority.	
Information relating to person who/are/have been qualified workers or qualifying trainees	Provide information to Secretary of state or any "prescribed person" information relating to person who/have been qualifying workers or qualifying trainees (anyone employed at or working for a school)	Education Act 2005, section 114
Information relating to the school or provision of education for pupils	Allow Chief Inspector to inspect, and take copies of any other documents containing information relating to the school or provision of education for pupils.	Education Act 2005, section 10
Pupil Information	Duty of the governing body to supply individual pupil information to (a) secretary of state, and (b) any prescribed person within the act. Provide information about pupils aged between 13-10 to the Local Authority to fulfil their provision of leisure activities/facilities for recreation and social and physical training	Education Act 1996, section 537a Education Act 1996 section 507B and 508B
Qualifying Complaint	Where a qualifying complaint is made to provide the Chief Inspector with such information as the inspector requests to investigate such a complaint	Education Act 2005, section 11B
Safeguarding and promoting welfare of pupils	To ensure that functions of school are exercised with a view to safeguarding and promoting welfare of pupils. Provide information to Local Authority to assist with	Education Act 2002, section 175 Childrens Act 1989, section 17

	<p>safeguarding and welfare of children.</p> <p>Provide information to LA to assist with it duties where a child is suffering from or likely to suffer significant harm</p> <p>Provide information/assist to the secretary of state in any matter connected with its functions/functions of local safeguarding boards</p> <p>Provide information to enable LA to safeguarding and promote welfare of children within the requirements of the act</p>	<p>Childrens Act 1989, section 47</p> <p>Childrens Act 1989, section 83</p> <p>Childrens Act 2004, section 11</p>
School Attendance Order	Provide information to the Local Authority in relation to pupils and parents in order to begin procedures for issuing a school Attendance Order.	Education Act 1996, section 437A
Special Educational Needs	Provide information in relation to pupils with special educational needs	Education Act 1996, section 317
Suitable Education	<p><u>Not received due to illness/exclusion:</u> Provide information to the Local Authority regarding pupils who by reason of illness, exclusion may not for any period receive suitable education unless such arrangements are made for them.</p> <p><u>Not received for any other reason:</u> Provide information to the Local Authority to identify children residing in the area who are not receiving</p>	<p>Education Act 1996, section 19</p> <p>Education Act 1996, section 436A</p>

	suitable education	
--	--------------------	--

Table 2 – Personal information we are required to process as it is necessary to protect someone’s vital interests

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Safeguarding and welfare information of pupils	Education act 2002, section 175 Childrens Act 1989, section 17,47,83 Childrens act 2004,section 11 Safeguarding and promoting welfare of pupils	LA, Local safeguarding boards, Police	To ensure that functions of the school are exercised with a view to safeguarding and promoting welfare of pupils Provide information to Local Authority to assist with safeguarding and welfare of children Provide information to LA

			<p>to assist with its duties where a child is suffering from or likely to suffer significant harm</p> <p>Provide information/assist to the secretary of state in any matter connected with his functions/functions of local safeguarding boards</p> <p>Provide information to enable LA to safeguard and promote welfare of children within the requirements of the act.</p>
Name date of birth medical conditions	Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health (ie) emergency medical treatment	NHS Emergency services	Emergency medical help

Table 3 - Personal information we are required to process with the consent of the individual to whom that information 'belongs'

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Names and email addresses	Consent from the data subject	Parent Pay: Sims	To enable us to keep people updated on school information relating to their child(ren)
Names		Writes Photography	To provide a service to parents
Names		Social media, other websites or the print media	Promoting childrens achievements
Names and dates of birth		Tapestry to help record progress of children	To track progress

Table 4 - Personal information we are required to process because it is necessary to do so in order to perform a public task

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing