

How We Use Your Information Data Privacy Notice – Pupils May 2023

Introduction

This notice is to help parents understand how and why Holy Trinity C of E Primary School collects your child's personal information and what we do with that information. It also explains the decisions that you can make about your child's information.

We are giving you this notice because you are able to exercise your child's data protection rights on their behalf. When your child is older (usually when they reach the age of 13) they will be considered mature enough to exercise their own data protection rights.

If you have any questions about this notice please talk to the Headteacher.

What is "Personal Information"?

Personal information is information that the School holds about your child and which identifies your child.

This includes information such as their date of birth and address as well as things like exam results, medical details and behaviour records. The School may also record your child's religion or ethnic group. CCTV, photos and video recordings of your child are also personal 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 and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Free school meal entitlement
- Identity management/authentication (to log into school systems)

How and Why does the School Collect and Use Personal Information?

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

- a. to support pupil learning
- b. to monitor and report on pupil attainment progress
- c. to provide appropriate pastoral care
- d. to execute our safeguarding responsibilities
- e. to assess the quality of our services
- f. to keep children safe (food allergies, or emergency contact details)
- g. to meet the duties placed upon us for the Department for Education (DfE) data collections
- h. to support our local authority with planning future provision

We set out below examples of the different ways in which we use personal information and where this personal information comes from. Our primary reason for using your child's information is to provide your child with an education.

The admissions forms which you complete give us personal information about your child. We get information from your child, their teachers and other pupils. Your child's old school also gives us information about your child if we need this to teach and care for them.

Sometimes we get information from your child's doctor and other professionals where we need this to look after your child.

We collect this information to help the School run properly, safely and to let others know what we do here. Here are some examples:

- We need to tell all appropriate members of staff if your child is allergic to something or might need extra help with some tasks.
- We may need to share information about your child's health and wellbeing with the School Nurse or counsellor.
- We may use CCTV to make sure the school sites are safe. CCTV is not used in private areas such as changing rooms. CCTV policy is available on request.
- We may need to report some of your child's information to the government. For example, we may need to tell the local authority that your child attends our school or let them know if we have any concerns about your child's welfare.
- We may need information about any court orders or criminal petitions which relate to your child. This is so that we can safeguard your child's welfare and wellbeing and the other pupils at the school.
- If your child is from another country, we have to make sure that they have the right to study in the UK. We might have to provide their information to UK Visas and Immigration.
- Depending on where your child will go when they leave us we may need to provide their information to other schools. For example, we may share information about your child's results and provide references. We may need to pass on information, which they need to look after your child.

HOLY TRINITY C of E PRIMARY SCHOOL

- We may need to share information with the police or our legal advisers if something goes wrong or to help with an inquiry. For example, if one of your child's classmates is injured at school or if there is a burglary.
- Occasionally we may use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the School properly. We might need to share your child's information with them if this is relevant to their work.
- If your child has misbehaved in a serious way, and the police have become involved, we may need to use information about the action taken by the police.
- We may share some information with our insurance company to make sure that we have the insurance cover that we need.
- We may share your child's academic and (where fair) their behaviour records with you or their education guardian so you can support their schooling.
- We will only share your child's information with other people and organisations when we have a good reason to do so. In exceptional circumstances, we may need to share it more widely than we would normally.
- We will monitor your child's use of email, the internet and mobile electronic devices e.g. iPads. This is to check that your child is not misbehaving when using this technology or putting themselves at risk of harm. If you would like more information about this you can read the acceptable use of IT and email policy or speak to your child's class teacher.
- We may use photographs or videos of your child for our websites and social media sites or prospectus to show prospective pupils what we do here and to advertise the school. We may continue to use these photographs and videos after your child has left the school.
- Sometimes we use photographs and videos for teaching purposes, for example, to record a drama lesson. If you have any concerns about us using photographs or videos of your child please speak to your child's class teacher.
- We publish our public exam results, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing.
- We sometimes use contractors to handle personal information on our behalf. The following are examples:
 - IT consultants who might access information about your child when checking the security of our IT network; and
 - we use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the school site.

If you have any concerns about the above, please speak to the Headteacher.

Under the UK General Data Protection Regulation (UK GDPR) Article 5 and Article 9, the lawful bases we rely on for processing pupil information are:

Public interests

This means that the processing of your child's data is necessary for public interests. The School relies on public interests for most of the ways in which it uses your child's information.

Specifically, the School has a public interest in:

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- Providing your child with an education.
- Safeguarding and promoting your child's welfare and the welfare of other children.
- Promoting the objectives and interests of the School.
- Facilitating the efficient operation of the School.
- Ensuring that all relevant legal obligations of the School are complied with.

If you object to us using your child's information where we are relying on our public interests as explained above please speak to the Headteacher.

Legal obligation

Where the School needs to use your child's information in order to comply with a legal obligation, for example to report a concern about your child's wellbeing to Children's Services, we may also have to disclose your child's information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Legitimate interest

Personal data may be processed on the basis that the school has a legitimate interest in processing that data, provided that such legitimate interest is not overridden by the rights or freedoms of the child.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

Vital interests

To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

Legal claims

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.

Consent

We may ask for your consent to use your child's information in certain ways. If we ask for your consent to use your child's personal information you can take back this consent at any time. Any use of your child's information before you withdraw your consent remains valid. Please speak to your child's class teacher if you would like to withdraw any consent given.

Sending Information to Other Countries

We may send your child's information to countries which do not have the same level of protection for personal information as there is the UK. For example, we may store your child's information on cloud computer storage based overseas or communicate with you about your child by email when you are overseas (for example, when you are on holiday).

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm

If the country that we are sending your information to is not on the list or, is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland) then, it might not have the same level of protection for personal information as there is the UK.

We will provide you with details about the safeguards which we have in place outside of this privacy notice. If you have any questions about the safeguards that are in place please contact the Headteacher.

Collecting pupil information

The admissions forms which you complete give us personal information about your child. We get information from your child, their teachers and other pupils. Your child's old school also gives us information about your child if we need this to teach and care for them.

Sometimes we get information from your child's doctor and other professionals where we need this to look after your child.

Pupil data is essential for the school's 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.

Storing pupil data

We keep your child's information for as long as we need to in order to educate and look after them. We will keep certain information after your child has left school.

In exceptional circumstances, we may keep your child's information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

We hold pupil data securely for the set amount of time shown in our data retention schedule. Please contact the school office for more information on our data retention schedule and how we keep your data safe.

Who do we share pupil information with?

We routinely share pupil information with:

- Schools that the pupils attend after leaving us
- The NHS
- Public Health England
- School Nurse Team
- The Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

HOLY TRINITY C of E PRIMARY SCHOOL



- Our local authority. We are required to share information about our pupils with our local authority under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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.

Department for Education (DfE)

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, under:

- section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls, which meet the current government security policy framework

<https://www.gov.uk/government/publications/security-policy-framework>. For more information, please see 'How Government uses your data' section.

Requesting access to your personal data

Under data protection legislation, 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 be given access to your child's educational record, contact the headteacher.

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint 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/>

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the headteacher.

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated in May 2023.

Contact

If you would like to discuss anything in this privacy notice, please contact the Headteacher.