



Abberley Parochial V.C. Primary School

Rooted and grounded in love

Privacy Notice for Parents and Pupils

How we use your information – 2020/21

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 'fair processing notices') to individuals where we are processing their personal data. This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at our school.

Abberley Parochial V.C. Primary School is the 'data controller' for the purposes of data protection law. This means we are responsible for how your personal information is processed and for what purposes.

Abberley Parochial V.C. Primary School is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: Z7535167

You can contact the school as the Data Controller in writing at:

Abberley Parochial V.C. Primary School
Apostles Oak
Abberley
Worcestershire
WR6 6AA
Email: office@abberley.worcs.sch.uk

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 data, 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 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.
- Details of any allergies or medical conditions, including physical and mental health.
- Details of any support received, including care packages, plans and support providers.
- Photographs

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

The categories of parent/other family member's information that we collect, hold and share:

- Names, contact details (address, telephone number, email), gender, parental responsibility, contact preferences, place of work.

In some specific cases we may also hold:

- Date of birth, national insurance number, nationality (ethnicity), relationship to the child.
- Characteristics, such as ethnic background, language, nationality, eligibility for free school meals, benefit entitlements.
- Safeguarding information.

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
- carry out research
- comply with the law regarding data sharing

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 this 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. We may use such information to protect the vital interests of the particular person or someone else's interests.

Details of the type of processing that we may undertake on this basis and who we may share that information 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 who 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 who we may share that information 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 including SEN Services, children's services etc.
- The Department for Education (DfE)
- The School Health service
- The school photographer
- Educational applications such as J2E, TTRockstars and CPOMS to support pupils' education

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

We share pupils' 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 our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. 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):

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.

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?

We keep personal information about pupils or parents/carers 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.

For example:

- In the case of Safeguarding or SEN information, until they are aged 25.
- In the case of attendance data, for 3 years after the child leaves us.
- In the case of admissions, 3 years after date of admission.
- For statutory assessments (SATS), 6 years after the child leaves us.

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.

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.

Test and Trace

To assist with the school's engagement of the Test and Trace Scheme, we are requesting contact details from individuals in addition to the usual information required from our visitors.

Should it become apparent that you may have come into contact with a person who has tested positive for COVID19, we may be requested to share your name and contact details with the NHS Test and Trace Scheme. We will only keep your telephone number/contact details for 21 days, at which point it will be securely disposed.

For further details on how we process your information, please refer to our privacy notice on the school's website. Further information on the Test and Trace Scheme can be found by visiting <https://www.gov.uk/guidance/nhs-test-and-trace-how-it-works>.

NHS Test and Trace Scheme is a third party receiver of this data. The lawful basis for processing this personal

information is public task.

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/>
Call 0303 123 1113

Write to: Information Commissioner's Office, Wycliffe House, water Lane, Wilmslow, Cheshire, SK9 5AF

Review

The content of this Privacy Notice will be reviewed May 2021

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
Special Education Needs Report	Children’s and Families Act 2014, section 69		Local Authority	Legal Obligation
Attendance register	Education (Pupil Registration)(England) Regulations 2006, Regulation 4, 10, 11 and 12		OFSTED, Local Authority	Legal Obligation
Common Transfer file	Education (Pupil Registration)(England) Regulations 2005, Regulation 6		School pupil transfers to	Legal Obligation
Safeguarding information	Education Act 2002, section 175 Children’s Act 1989, Section 17, 47, 83. Children’s Act 2004, Section 11		Local Authority	Legal Obligation
Admissions Register	Education (Pupil Registration)(England) Regulations 2006, Regulation 4, 10, 11, 14 and 15		OFSTED, Local Authority	Legal Obligation
Curricular Record including Assessment and achievement data	Education (Pupil Information) (England) Regulations 2005, Regulation 4		OFSTED, Local School. Local Authority	Legal Obligation
Educational Record	Education (Pupil Information) (England) Regulations 2005, Regulation 5 and 6		Parents, Local school	Legal Obligation
Pupil Information i.e name, age address, Emergency contact details	Education (Information About Individual Pupils) (England) Regulations 2013, Regulation 3 and 5		Department of Education – school census. Other schools – when pupils transfers	Legal Obligation
Medical / Dietary / allergies		Necessary for preventative or occupational medicine	Department of Education – school census. Other schools – when	Legal Obligation

			pupils transfers	
School Census	Education Act 1996, Sections 537 & 537A, and accompanying regulations		Department of Education	Legal Obligation

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
Medical Information	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent'	Medical staff i.e. paramedics/ambulance	Vital Interest
Religious belief	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent'	Medical staff i.e. paramedics/ambulance	Vital Interest

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
Photographs		Government agencies, eg Department for Education, The Warwickshire Consortium Teaching School (led by the Nursery School). Reception pupils – Tapestry online learning journals	Consent
Parent mobile telephone number	n/a	Text2parents	Consent of the individual to whom that information 'belongs'

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
Pupil Information i.e name, age address, Parent detail, Emergency contact details		Department of Education – school census. Other schools – when pupils transfers	Legal Obligation
Safeguarding information, Medical, Special Education Needs		Local Authority, Health, Parents	Legal Obligation
Educational and Safeguarding Information used internally for the purpose of educating and			

protecting the welfare of children.			
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