



## **GDPR Privacy Notice for Parents/Carers**

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 pupils and parents.

We, **St Michael's CE (A) Infant School**, are the 'data controller' for the purposes of data protection law.

Our data protection officer is in the process of being appointed (see 'Contact us' below).

### **The personal data we hold**

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Name, unique pupil number, address, contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests (such as Key Stage 1 and phonic results.)
- Pupil and curricular records
- Characteristics, such as ethnic background, language, eligibility for free school meals, or special educational needs
- Behaviour and Exclusion information (including any alternative provision)
- Details of any medical conditions, including physical and mental health
- Attendance information (including sessions attended, number of absences, absence reasons and any previous schools attended)
- Safeguarding information (such as court orders and professional involvement)
- Details of any support received, including care packages, plans and support providers
- Photographs
- Medical (such as doctor's information, child health, dental health, allergies, medication and dietary requirements)

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

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data.

### **Why we use this data**

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare and keep children safe (food allergies, emergency contact details)
- Assess the quality of our services

- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing and meet statutory duties placed on us for DfE data collection.

### **Our legal basis for using this data**

Under the General Data Protection Regulations (GDPR) we only collect and use pupils' personal data where there is a lawful basis. Most commonly, we process it where:

- We need to comply with a legal obligation
- 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.

### **How we collect this data**

We collect pupil information usually via an induction pack handed to new parents before the pupils start at the school, by electronic means (eg ParentMail) and via common transfer files from previous schools. Parents are asked annually to check and update this information. Specific information and permissions (eg for school trips, school meal arrangements) are collected as and when required.

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 this data**

We keep personal information about pupils 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. Data is kept on password-protected electronic files and in files in locked cupboards. Our record retention schedule sets out how long we keep information about pupils.

We currently follow the guidance in the [Information and Records Management Society's toolkit for schools](#) to help us with this. A copy of this is available on request to the school office. Our Data Protection policy gives further information on this and is published on the school website. A hard copy is available on request to the school office.

### **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:

- Our local authority – section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013 to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions

- The Department for Education – section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013 to meet our legal obligations
- The pupil's family and representatives – to provide information on progress, performance, behaviour and wellbeing
- Educators and examining bodies – to meet our legal obligation
- Our regulator e.g. Ofsted – to enable effective evaluation of school performance
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations – to allow payments to be taken and received
- Health and social welfare authorities/organisations - to meet our legal obligations to share certain information with it, such as health and wellbeing/safeguarding concerns
- Professional advisers and consultants – maintenance and improvement of standards for all
- Police forces, courts, tribunals - to meet our legal obligation

### **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>

### **National Pupil Database**

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 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.

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/dfе-external-data-shares>

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

### **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.

### **Parents and pupils' rights regarding personal data**

Individuals have a right to make a **'subject access request'** to gain access to personal information that the school holds about them.

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 13), 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.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our data protection officer (see 'Contact us' below).

Parents/carers also have a legal right to access to their child's **educational record**. To request access, please contact our data protection officer (see 'Contact us' below).

## Other rights

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

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, blocked, erased or destroyed, or restrict processing
- a right to seek redress, either through the ICO, or through the courts

To exercise any of these rights, please contact our **Data Protection Officer**.

## Concerns/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 us in the first instance.

To register a concern or make a complaint, please contact our **Data Protection Officer**.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

**The appointment of our DPO has yet to be confirmed**

Email: [dpo@stmichaels-dorking.surrey.sch.uk](mailto:dpo@stmichaels-dorking.surrey.sch.uk)

This notice is based on the Department for Education's model privacy notice for the parents/carers, amended to reflect the way we use data in this school.