



**Chief Executive Officer:** Mrs G Bettany

### Privacy Notice 2022-23:

## Privacy notice for Parents/Carers – Use of Your Child’s 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’ to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils**.

SESAT are the ‘data controller’ for the purposes of data protection law.

Our Data Protection Officer at Barnfields is Tracey Thorley (see ‘Contact us’ below).

Our Data Protection Officer at Leasowes is Tim Smale (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:

- *Contact details, contact preferences, date of birth, identification documents*
- *Results of internal assessments and externally set tests*
- *Pupil and curricular records, unique pupil number*
- *Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs*
- *Behavioural and Exclusion information*
- *Details of any medical conditions, including physical and mental health*
- *Attendance information*
- *Dietary requirements, free school meal management*
- *Safeguarding information*
- *Details of any support received, including care packages, plans and support providers*
- *Photographs*
- *Educational visits and activities*

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

### Why we use this data

We will only collect your information when we have a good reason to do so in line with the law – this is known as having a lawful basis to use data. Here are the reasons we collect your information:

- *Support pupils' learning*
- *Monitor and report on pupil progress*
- *Provide appropriate pastoral care*
- *Protect pupil welfare*
- *Keep children safe*
- *Assess the quality of our services*
- *Administer admissions waiting lists*
- *Research*
- *Comply with the law regarding data sharing*
- *To meet legal duties placed on us by the Government*

### **Our legal 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*
- *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.

For special category data, we also rely on the following conditions under Article 9 of the UK GDPR:

- Explicit consent
- Employment (if authorised by law)
- Vital interests
- Made public by the data subject
- Legal claims or judicial acts
- Reasons of substantial public interest (with a basis in law)
- Health or social care (with a basis in law)
- Archiving, research and statistics (with a basis in law)

### **Collecting this information**

Pupil data is essential for the school's operational use. Whilst the majority of information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with data protection legislation, we will inform you at the point of collection whether you are required to provide certain information to us or if you have a choice.

We collect your personal information via the following methods:

- *Registration Forms*

- *Common Transfer File (CTF) from previous school*
- *Child Protection Plans*
- *Information offered to provide consent e.g. photographs on the school website*

### **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. Our record retention schedule sets out how long we keep information about pupils.

In accordance with GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally intended.

### **Data sharing**

We routinely share your information with:

- *The Local Authority (LA)*
- *The Department for Education (DFE)*
- *Schools that you go to after leaving us*

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 – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions*
- *The Department for Education*
- *The pupil's family and representatives*
- *Educators and Examining Bodies*
- *Our regulator e.g. Ofsted*
- *SESAT Multi Academy Trust*
- *Education Organisations e.g. our assessment and tracking systems*
- *Financial Organisations*
- *Central and Local Government*
- *Our Auditors*
- *Survey and Research Organisations*
- *Health Authorities*
- *Security Organisations*
- *Health and Social Welfare Organisations*
- *Professional advisers and consultants*
- *Charities and Voluntary Organisations*
- *Police Forces, Courts, Tribunals*
- *Professional Bodies*
- *Digital Educational Service Providers e.g. Education City*

## Department for Education (DfE)

The DfE collects personal information from us through various collections the school is required to undertake legally. We are required to share information about pupils with the DfE either directly or via our LA for the purpose of those data collections, under:

- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

All information we share with the DfE is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

### How does the government use your data?

The pupil data that we lawfully share with the DfE through data collections:

- Underpins school funding, which is calculated based upon numbers of pupils and their characteristics in each school.
- Informs 'short-term' education policy monitoring and school accountability and intervention.
- Supports 'longer-term' research and monitoring of educational policy, e.g. how certain subject choices go on to affect education or earnings beyond school.

To find out more about the data collection requirements placed on us by the DfE, e.g. via the school census, click [here](#).

## The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in the NPD.

The NPD is owned and managed by the DfE and contains information about pupils in schools in England – it provides evidence on educational performance to inform independent research as well as studies commissioned by the DfE.

Information on the NPD is held in an electronic format for statistical purposes and it is securely collected from a range of sources, including schools, LAs and awarding bodies.

You can find out more about the NPD by following this link: <https://www.gov.uk/guidance/how-to-access-department-for-education-dfe-data-extracts>.

## Sharing by the DfE

The DfE is legally allowed to share pupils' personal information with certain third parties, including the following:

- Schools
- LAs
- Researchers
- Organisations connected with promoting the education or wellbeing of pupils
- Other government departments and agencies
- Organisations fighting or identifying crime

Organisations fighting or identifying crime, such as the Home Office and the police, may use their legal powers to contact the DfE to request access to individual level information relating to a crime. The DfE typically supplies information on around 600 pupils per year to the Home Office and approximately one per year to the police.

For more information about how the DfE collects and shares pupil information, you can look at the information in the following two links:

- <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>
- <https://www.gov.uk/government/publications/dfE-external-data-shares>

## How to find out what personal information the DfE holds about you

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.
- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link: <https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

You can also contact the DfE directly using its online contact form by following this link: <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 12), or where the child has provided consent.

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.

Parents/carers also have a legal right to access to their child's **educational record**. To request access, please contact:

*Barnfields Primary School – Mrs K Bakewell 337320*

*Leasowes Primary School – Mrs K Bakewell 337370*

*Please see our GDPR policy on the website*

## 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, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

## 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 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**:

- *Barnfields Primary School DPO – Tracy Thorley - [infogov@staffordshire.gov.uk](mailto:infogov@staffordshire.gov.uk)*
- *Leasowes Primary School DPO – Mr T Smale - [t.smale@leasowes.staffs.sch.uk](mailto:t.smale@leasowes.staffs.sch.uk)*

*This notice is based on the [Department for Education's model privacy notice](#) for pupils, amended for parents and to reflect the way we use data in this school.*