

## General Data Protection Regulation (GDPR)

The Data Protection Act 2018 is the UK's implementation of the **General Data Protection Regulation (GDPR)**. Everyone responsible for using personal data has to follow strict rules called 'data protection principles'. They must make sure the information is: used fairly, lawfully and transparently.

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, Parents and Carers.

We, Wardley CE Primary School are the 'data controller' for the purposes of data protection law.

Our named school contact is Mrs Statham. Our data protection officer is **Ben Cain, Fusion Education People Solutions** (see 'Contact us' below).

### The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils, parents and carers 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
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs, child protection information
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school
- Emergency Contact details for parents and carers

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 also hold parent/carer information such as: name, contact details (email, phone number), address.

### Why we use this data

We collect this data in accordance to requirements set out in certain laws/regulations including but not limited to: the Education Act 2005; Safeguarding Vulnerable Groups Act 2006 and the Keeping Children Safe in Education guidance. We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing
- To be able to contact you in the event of an emergency

## **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 parent, carer or 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.

## **Collecting this information**

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

We regularly request updated information from parents, via letter, email or the School Spider App.

## **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 Data Retention Policy sets out how long we keep information about pupils, Parent and Carers. This is available on our School Website.

## **Data sharing**

Why we regularly share pupil information:

We do not share information about our pupils with anyone without consent or unless the law and our policies allow us to do so.

## **Department for Education**

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 DfE under a combination of software and hardware controls, which meet the current government security policy framework.

In some circumstances, the school may also share data with:

- Educators and examining bodies
- Our regulator (Ofsted)
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Survey and research organisations
- Health authorities (NHS)
- Health and social welfare organisations
- Professional advisers and consultants

- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

We may also share data with other professionals/contractors if a pupil has signed up to a club or event (e.g. a musical instrument tutor).

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside of the United Kingdom, we will do so in accordance with data protection law.

### **Parents, carers 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.

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 named school contact or data protection officer.

Parents/carers also have a legal right to access to their child's educational record. To request access, please contact our school reception on 0161 921 1098.

### **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 named school contact or data protection officer.

## **Data Retention/Destruction**

The data will not be held for longer than is necessary and will be disposed of safely when it is no longer required.

## **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 named school contact – Mrs Statham.

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:

Data Protection Officer **Ben Cain, Fusion Education People Solutions, First Floor, Unit A**

**Cedar Court Office Park, Denby Dale Road, Wakefield ,WF4 3FU Tel: 01924 907319 Email: [dpo@feps.co.uk](mailto:dpo@feps.co.uk)**