



Broughton Fields Primary School
Privacy notice
for parents/carers

January 2021

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.

We, [Broughton Fields Primary School](#) are the 'data controller' for the purposes of data protection law.

Our data protection lead is Mrs Rachel Timms (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:

- Personal information (such as name, unique pupil number, address, date of birth, identification documents)
- Contact details, contact preferences
- 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
- 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, including Special Education Needs information
- Photographs
- CCTV images captured in school

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 use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare, including behaviour monitoring
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing
- To share data for statutory inspections and audit purposes

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.

Collecting this information

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

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

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. We use the 'Information and Records Management Society's toolkit for schools' to form the basis for our retention schedule.

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 – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- Schools that the pupil attends after leaving us
- The pupil's family and representatives
- Educators and examining bodies
- Our regulator e.g. Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for:
 - Parentpay – online payments/emails
 - Chartwells – school meal provision
 - Eduspot – Teachers2parents, texting service, Behaviourwatch, behaviour monitoring system
 - School Cloud System – booking system (parents evening, clubs)
 - Target Tracker – monitoring and tracking pupil progress
 - Mymaths – homework
 - SPaG.com – homework
 - Purple Mash – learning resource
 - Espresso – learning resource
 - Junior Library – library system
- 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

Why we 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. 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.

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>.

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. 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.

We are required by law to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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 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.

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 lead Mrs Timms, office@broughtonfieldsprimary.org.uk.

Parents/carers also have a legal right to access to their child's educational record. To request access, please contact Mrs Timms, office@broughtonfieldsprimary.org.uk.

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 lead.

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/>

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 lead: Mrs Rachel Timms.

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.

Pupil Privacy Notice Addendum on COVID-19

This notice describes how we may use pupils' personal information to protect them and others during the Covid-19 outbreak. It supplements our main Pupil Privacy Notice, above.

Pupils' rights in relation to the processing set out in this addendum can be found in our main Privacy Notice. They include the right of access and rectification. If a pupil or parent has any concerns about our processing of personal data in relation to the COVID-19 pandemic, they should contact Mrs Rachel Timms.

Safeguarding the health and safety of our pupils, members of staff and school community is of paramount importance. During the COVID-19 pandemic we may process personal data in additional ways to ensure we are doing everything we can to protect everyone's health.

This may include:

- Asking whether pupils (or anyone in their households) are experiencing any COVID-19 symptoms
- Collecting specific health data when someone tells us they are experiencing COVID-19 symptoms
- Keeping a record of COVID-19 related health information
- Analysing personal information already shared with us so we can ensure we are taking all possible measures to keep everyone safe
- Sharing information with others, for example, with other members of a school 'bubble'/community, Public Health, NHS Track and Trace or NHS Lateral Flow Testing System (currently Secondary schools only).

When we process pupil personal information in this way, we will always abide by data protection law; namely, the General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018 (UK DPA 2018).

Our processing will meet the **principles laid down in the GDPR**. This means that we will:

- Only collect and use the minimum amount of information that is necessary for our purpose of protecting the health and safety of pupils, and that of others
- Make sure that any decisions we make about pupils based on this information are fair and don't discriminate against them
- Only retain this information for as long as necessary. The retention period will be 12 months, but we will keep this under review. Lateral Flow Testing data will be retained for 1 month after which it will be destroyed in line with NHS guidelines (currently Secondary schools only).
- Ensure the security of pupils' personal information by adhering to the procedures laid down in our Data Protection Policy and IT/e-safety policies/user agreements
- Share the minimum amount of personal information necessary for our purpose. We will do this verbally if appropriate, and will always seek not to share an individual's name unless it is absolutely necessary
- Be open and transparent about our processing - through this addendum to our privacy notice and in any communications with pupils/parents.

Under the GDPR we must have a **lawful basis** to process personal data as described above:

Our lawful basis is the one of 'public task', being processing that is necessary for our function as a school/ tasks in the public interest.

Due to its sensitivity, health information has extra protection under the GDPR and the UK Data Protection Act 2018 as special category data. This means we have to identify an additional lawful condition for our processing:

Our lawful condition is 'reasons of substantial public interest' under the GDPR and 'safeguarding of children and of individuals at risk' under Schedule 1, Part 2 of the UK DPA 2018.