

# GDPR Privacy Notice for Pupils and their Families



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 their families.

St Mary's CofE Primary School is the 'data controller' for the purposes of data protection law. This means they determine the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed.

The School Business Manager acts as a representative for the school with regard to its data controller responsibilities; they can be contacted at [info@stmarys.rbksch.org](mailto:info@stmarys.rbksch.org)

Our Data Protection Officer is GDPR Sentry; they can be contacted at [info@gdprsentry.com](mailto:info@gdprsentry.com) or on 0113 804 2035. Their role is to oversee and monitor the school's data protection procedures, and to ensure we are compliant with the GDPR.

## Why do we collect and use your information?

St Mary's CofE Primary School holds the legal right to collect and use personal data relating to pupils and their families. We may also receive information regarding them from their previous school, LA and/or the DfE. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013

In accordance with the above, this personal data of pupils and their families is collected and used for the following reasons:

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

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)
- We have legitimate interests in processing the data – for example, where we provide pupil names to St Mary's Primary School's PTA.

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.

### **Which data is collected?**

The categories of 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, pupil numbers
- 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
- Behavioural and 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

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

While the majority of information we collect about pupils is mandatory, some is provided on a voluntary basis. When collecting data, the school will inform you whether you are required to provide this data or if your consent is needed. Where consent is required, the school will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

The categories of personal data that we may collect, use, store and share about parents includes, but is not restricted to:

- Contact information, including addresses, phone numbers and email addresses of parents and/or any other emergency contacts
- Financial information where appropriate, e.g. to check eligibility for FSM
- Information pertaining to home life where appropriate, e.g. where a pupil is identified as having a mental health issue or there are safeguarding concerns

### **How long is your data stored for?**

Personal data relating to pupils at St Mary's Primary School and their families is stored in line with the school's GDPR Data Protection Policy.

In accordance with the GDPR, the school does not store personal data indefinitely. 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.

### **Will my information be shared?**

We do not share your personal information 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 –e.g Statutory data collections
- Other Schools – to enable them to meet their legal obligations
- The pupil's family and representatives - to support pupil learning, report pupil progress and provide appropriate pastoral care
- Educators and examining bodies – to support pupil learning
- Our regulators, e.g. Ofsted, SIAMS
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations e.g if we were to run a school bank
- Central and local government - to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- Our auditors – to meet our legal obligations
- Survey and research organisations – to carry out research
- Health authorities – to provide pastoral care and protect pupil welfare
- Security organisations – to protect pupil welfare

- Health and social welfare organisations - to provide pastoral care and protect pupil welfare
- Professional advisers and consultants – to support pupil learning and provide appropriate pastoral care
- Charities and voluntary organisations e.g the school's PTA
- Police forces, courts, tribunals – to protect pupil welfare or meet our legal obligations
- Professional bodies – to support pupil learning and protect pupil welfare

Where the school outsources data to a third-party processor, the same data protection standards that the school upholds are imposed on the processor.

### **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 DfE 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 by:

- Conducting research of analysis
- Providing statistics
- Providing information, advice or guidance.

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.

### **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.

### **What are your rights?**

Parents and pupils have the following rights in relation to the processing of their personal data. You have the right to:

- Be informed about how St Mary's Primary School uses your personal data
- Request access to the personal data that St Mary's Primary School holds.
- Request that your personal data is amended if it is inaccurate or incomplete.

- Request that your personal data is erased where there is no compelling reason for its continued processing.
- Request that the processing of your data is restricted.
- Object to your personal data being processed if it would cause, or is causing, damage or distress
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)

Where the processing of your data is based on consent, you have the right to withdraw this consent at any time.

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.

If you have a concern about the way St Mary's Primary School and/or the DfE is collecting or using your personal data, you can raise a concern with the ICO. The ICO can be contacted online at <https://ico.org.uk/concerns/> or on 0303 123 1113, Monday-Friday 9am-5pm.

#### **Where can you find out more information?**

If you would like to find out more information about how we and/or the DfE collect, use and store your personal data, please visit our website or download our Data Protection Policy.