



St Mary's and St Peter's CE Primary School

Parent & Pupil Privacy Notice **(How we use personal information)**

Under Data Protection Regulations (GDPR) and the Data Protection Act (DPA) 2018, we are obliged to inform you of the information we hold on you and your child(ren), including what we use it for, who we share it with, and for how long we keep it. This privacy notice (also known as a fair processing notice) aims to provide you with this information. If it, or any information linked to, is unclear, please contact the school office or the school's Data Protection Officer. Contact details for both are available at the end of this privacy notice.

Who processes your information?

For the purposes of data protection law, St Mary's & St Peter's Primary School (SMSP) is the data controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed.

In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school outsources data to a third party processor, the same data protection standards that the school upholds are imposed on the processor.

As a public body, we have appointed Grow Partners Ltd as our Data Protection Officer (DPO). The responsible contact is David Coy (contactable on 07903 506531, david.coy@london.anglican.org).

What data do we collect?

The categories of parent & pupil information that we collect, hold and share include, but are not limited to:

- Personal information – e.g. names, unique pupil number, date of birth and parents national insurance number;
- Contact details and preferences – e.g. addresses, telephone numbers, email addresses;
- Characteristics – e.g. ethnicity, religion, language, nationality, country of birth and free school meal eligibility;
- Attendance information – e.g. sessions attended, number of absences and absence reasons;
- Admissions information;
- Assessment information – e.g. data scores, tracking, and internal and external testing;

- Relevant medical information – e.g. NHS information, health checks, physical and mental health care, immunisation program and allergies;
- Special educational needs information – e.g. EHCPs, statements, applications for support, care or support plans;
- Safeguarding information;
- Exclusion information;
- Behavioural information;
- Video conference recordings;
- Photographs – e.g. for internal safeguarding & security purposes, school newsletters, media and promotional purposes;
- Closed Circuit Television (CCTV) images;
- Payment details.

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

A full breakdown of the information we collect on the school workforce can be found in the record of data processing which can be requested from the school office.

Whilst the majority of the personal data you provide to the school is mandatory, some is provided on a voluntary basis. In order to comply with the General Data Protection Regulation and the Data Protection Act 2018, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Why do we collect and use your information?

The purpose of collecting and processing this data is to help us recruit staff and run the school efficiently, including but not limited to:

- to support pupil learning;
- to monitor and report on pupil progress;
- to provide appropriate pastoral and medical care;
- for safeguarding and pupil welfare purposes;
- administer admissions waiting lists;
- for research purposes;
- to inform you about events and other occurrences happening in the school;
- to assess the quality of our services;
- To comply with the law regarding data sharing.

The lawful basis on which we use this information

We collect and process personal information under the following lawful basis, as defined under Article 6 of the GDPR (also included in the Data Protection Act 2018):

- (a) - Consent: where you provide consent for us to process your personal data for a specific purpose.
- (c) - Legal obligation: where the processing is necessary for us to comply with the law.
- (d) - Vital interests: where the processing is necessary to protect someone's life.
- (e) – Public interest: where the processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).
- (f) – Legitimate interest: where the processing is necessary for the legitimate interest of yourselves or a third party.

Some of the information we process is deemed to be sensitive, or special, data (personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information, and information about sex life or orientation). Our lawful basis for collecting and processing such information is further defined under Article 9 of the GDPR (also included in the Data Protection Act 2018):

- (a) The data subject has given explicit consent.
- (b) It is necessary to fulfil the obligations of controller or of data subject.
- (c) It is necessary to protect the vital interests of the data subject.
- (d) Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions).
- (g) Reasons of public interest in the area of public health.

Where we have obtained consent to use a parent's or pupil's 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 a parent's or pupil's personal data overlap, and there may be several grounds which justify our use of this data.

An example of how we use the information you provide is:

The submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under Section 537A of the Education Act 1996.

Putting the school census on a statutory basis:

- means that schools do not need to obtain parental or pupil consent to the provision of information ;

- ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils;
- helps to ensure that returns are completed by schools

How is your data stored?

We collect, store and process data for every pupil (and the parents of) who attends our school, for the duration of their time at SMSP.

We have data protection policies and procedures in place, including strong organisational and technical measures, which are regularly reviewed. Further information is available via the school office.

The school does not store personal data indefinitely. Your data is only stored for as long as is necessary to complete the task for which it was originally collected, in accordance with our Data Retention Policy. A copy of this policy can be obtained via the school office.

Who will you share my data with?

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.

We also share your information with appropriate third parties, including but not limited to:

- The pupil's family and representatives;
- Educators and examining bodies;
- Ofsted;
- Suppliers and service providers (to enable them to provide the service we have contracted them for);
- 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;
- Schools that the pupil's attend after leaving us.

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.

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.

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:

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

What are your rights?

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold, through a Subject Access Request.

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 themselves.

If you make a subject access request, and if we do hold information about you, 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.

Parents/carers also have a legal right to access to their child's educational record. To request access, please contact Allison Peach, info@smssp.richmond.sch.uk.

SMSP reserves the right to verify the requester's identification by asking for Photo ID. If this proves insufficient, then further ID may be required.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed;
- claim compensation for damages caused by a breach of the Data Protection regulations.

All requests should be sent to the school office: info@smsp.richmond.sch.uk.

Data Protection Breaches

If you suspect that yours or someone else's data has been subject to unauthorised or unlawful processing, accidental loss, destruction or damage, we ask that you please contact our Designated Data Lead: Ben Ioannou, via the school office and advise us without undue delay.

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, **David Coy** (contactable on david.coy@london.anglican.org, 07903 506531).

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

Where can you find out more information?

If you would like to find out more information about how we collect, use and store your personal data, please visit our website (www.smsp.richmond.sch.uk) to access our Data Protection, Data Security and Data Retention policies. Alternatively, contact our Data Protection Officer: David Coy (david.coy@london.anglican.org, 07903 506531).