

## **Data Protection Policy**

Under data protection law, individuals have a right to be informed about how 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**.

We, Wellesbourne Primary and Nursery School, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Miss Joanna Moore

### **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
- 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
- Photographs

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

### **Why we use this data**

We use this data to:

- Support pupil learning
- Monitor and report pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Comply with the law regarding data sharing

## **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 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)  
Some of the information listed above may overlap and there may be several grounds which justify our use of this data
- Where we have obtained consent to use pupils' personal data, this consent can be withdrawn. We will make it clear when we ask for consent, and explain how consent can be withdrawn

## **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 will 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 we collect about pupils while they are attending our school. We may also keep it beyond their attendance at our school if it is necessary to comply with our legal obligations. Our Record Retention Policy sets out how long we keep information about pupils.

**Copies of all policies can be found on our school web site.**

## **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 of Education
- The pupil's family and representatives
- Educators and examining bodies
- Our regulator eg Ofsted, Liverpool Education Authority
- Suppliers and service providers – to enable them to provide the service we have contracted them for

- Financial organisations
- Central and local government
- Our auditors
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisors and consultants
- Police forces, courts, tribunals
- Professional bodies

### **National Pupil Databases**

We are required to provide information about pupils to the Department of Education as part of statutory data collections such as school census

Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can be easily turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department of Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use this data.

You can also contact the Department for Education with any further questions about the NPD.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside European Economic Area, we will do so in accordance to data protection law.

For more information about 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>

## **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.

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 for this
- Give you a copy of the information in an intelligible form

Individuals also have the right to 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 right to access their child's **educational record**. To request access, please contact Mrs S Burns – school administrator

## **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 the decision being taken by automated means (by a computer or a machine, rather than 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 data protection regulations

To exercise any of these rights 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 concerns 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, Wafer Lane, Wilmslow, Cheshire SK95AF

## **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this policy, please contact our **data protection officer**.

***This policy is based on the Departments for Education's model Privacy Notice (How we use pupil information), amended for parents and to reflect the way we use data in this school.***

- Data Protection Policy (Privacy Policy) – Revised May 2018
- Data Retention Policy – May 2018