

# Burwell Village College Primary School

## Privacy Notice For Parents/Carers – Use of Your Child’s Personal Data

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, Burwell Village College Primary School, The Causeway, Burwell, Cambs, CB25 0DU are the ‘data controller’ for the purposes of data protection law.

Our data protection officer is Ian Hoare (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:

- Parents address and contact details, date of birth, national insurance details and contact preferences
- Pupil contact details, date of birth
- 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/Videos
- External CCTV images captured of school premises

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 and attainment
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Carry out research
- 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 also process pupils’ personal data in situations where:

- We have obtained your 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, for example questionnaires and surveys.

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 in electronic and paper form kept securely to comply with GDPR. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our **Pupil Retention and Record Management Policy** sets out how long we keep information about pupils. Please see attached document.

## 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
- The pupil's family and representatives
- Educators and examining bodies
- Regulators including Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- 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

## 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 and national test data.

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 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. 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.

## 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.

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 data protection officer, please see contact details below

Parents/carers also have a legal right to access to their child's educational record. To request access, please see contacts below.

### **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 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 concern 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, 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 in the first instance please contact;

- Mr Nicholas Smith – Head Teacher. Tel: 01638 613103 or email [office@burwellvillage.cambs.sch.uk](mailto:office@burwellvillage.cambs.sch.uk)
- Mrs Karen Taylor – School Manager. Tel: 01638 613103 or email [office@burwellvillage.cambs.sch.uk](mailto:office@burwellvillage.cambs.sch.uk)
- Mr Ian Hoare, The ICT Service. Email; [ian.hoare@theictservice.org.uk](mailto:ian.hoare@theictservice.org.uk)

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.



# **Burwell Village College Primary School**

## **Pupil Retention and Record Management Policy**





## 5. Pupil Management

This section includes all records which are created during the time a pupil spends at the school. For information about accident reporting see under Health and Safety above.

5.1 Pupil's Educational Record		Retention Period	Action at the end of the administrative life of the record
Basic file description	Data Prot Issues	Statutory Provisions	(Operational)
5.1.1 Pupil's Educational Record required by The Education (Pupil Information) (England) Regulations 2005	Yes	The Education (Pupil Information) (England) Regulations 2005 SI 2005 No. 1437	
Primary		Retain whilst the child remains at the primary school	<p>The file should follow the pupil when he/she leaves the primary school. This will include:</p> <ul style="list-style-type: none"> <li>to another primary school</li> <li>to a secondary school</li> <li>to a pupil referral unit</li> <li>If the pupil dies whilst at primary school the file should be returned to the Local Authority to be retained for the statutory retention period.</li> </ul> <p>If the pupil transfers to an independent school, transfers to home schooling or leaves the country the file should be returned to the Local Authority to be retained for the statutory retention period. Primary Schools do not ordinarily have sufficient storage space to store records for pupils who have not transferred in the normal way. It makes more sense to transfer the record to the Local Authority as it is more likely that the pupil will request the record from the Local Authority</p>
Secondary		Limitation Act 1980 (Section 2)	SECURE DISPOSAL
5.1.2 Examination Results – Pupil Copies	Yes		
Public		This information should be added to the pupil file	All uncollected certificates should be returned to the examination board.
Internal		This information should be added to the pupil file	

## 5.1 Pupil's Educational Record

Basic file description

Data Prot: Statutory Provisions  
Issues

Retention Period  
(Operational)

Action at the end of the administrative life of the record

**This review took place as the Independent Inquiry on Child Sexual Abuse was beginning. In light of this, it is recommended that all records relating to child abuse are retained until the inquiry is completed. This section will then be reviewed again to take into account any recommendations the inquiry might make concerning record retention**

5.1.3	Child Protection information held on pupil file	Yes	"Keeping children safe in education Statutory guidance for schools and colleges March 2015"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015"	if any records relating to child protection issues are placed on the pupil file, it should be in a sealed envelope and then retained for the same period of time as the pupil file.	SECURE DISPOSAL – these records MUST be shredded
5.1.4	Child protection information held in separate files	Yes	"Keeping children safe in education Statutory guidance for schools and colleges March 2015"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015"	DOB of the child + 25 years then review This retention period was agreed in consultation with the Safeguarding Children Group on the understanding that the principal copy of this information will be found on the Local Authority Social Services record	SECURE DISPOSAL – these records MUST be shredded

Retention periods relating to allegations made against adults can be found in the Human Resources section of this retention schedule.



5.2 Attendance		Data Prot Issues	Statutory Provisions	Retention Period (Operational)	Action at the end of the administrative life of the record
<b>Basic file description</b>					
5.2.1	Attendance Registers	Yes	School attendance: Departmental advice for maintained schools, academies, independent schools and local authorities October 2014	Every entry in the attendance register must be preserved for a period of three years after the date on which the entry was made.	SECURE DISPOSAL
5.2.2	Correspondence relating to authorized absence		Education Act 1996 Section 7	Current academic year + 2 years	SECURE DISPOSAL

5.3 Special Educational Needs		Data Prot Issues	Statutory Provisions	Retention Period (Operational)	Action at the end of the administrative life of the record
<b>Basic file description</b>					
5.3.1	Special Educational Needs files, reviews and Individual Education Plans	Yes	Limitation Act 1980 (Section 2)	Date of Birth of the pupil + 25 years	REVIEW NOTE: This retention period is the minimum retention period that any pupil file should be kept. Some authorities choose to keep SEN files for a longer period of time to defend themselves in a "failure to provide a sufficient education" case. There is an element of business risk analysis involved in any decision to keep the records longer than the minimum retention period and this should be documented.
5.3.2	Statement maintained under section 234 of the Education Act 1990 and any amendments made to the statement	Yes	Education Act 1996 Special Educational Needs and Disability Act 2001 Section 1	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL unless the document is subject to a legal hold
5.3.3	Advice and information provided to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL unless the document is subject to a legal hold
5.3.4	Accessibility Strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Date of birth of the pupil + 25 years [This would normally be retained on the pupil file]	SECURE DISPOSAL unless the document is subject to a legal hold

