



# Western Road Community Primary School

## Privacy Notice

**Date:** April 2018

### **1. 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, Western Road Community Primary School, are the 'data controller' for the purposes of data protection law.

Our data protection officer is the Local Authority Officer (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:

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 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
- Assess the quality of our services
- Administer admissions waiting lists
- 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 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Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time.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. The Local Authority sets out how long we keep information about pupils.

## **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

OfstedOur regulator [specify as appropriate, e.g. Ofsted, Independent Schools Inspectorate]

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

### **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 early years 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 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.

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 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.

Parents/carers also have a legal right to access to their child's **educational record**. To request access, please contact the Headteacher in writing.

### **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, please contact our **data protection officer**:

Peter Questier

Performance and Information Governance Officer

Children's Services

East Sussex County Council

01273 482291

support@escc-childrens-infogov.freshdesk.com

*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.*

## **2. Privacy notice for pupils**

You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This privacy notice explains how we collect, store and use personal data about you.

We, Western Road Community Primary School, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Peter Questier (see 'Contact us' below).

### **The personal data we hold**

We hold some personal information about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too – like other schools, the local council and the government.

This information includes:

Your contact details

Your test results

Your attendance records

Your characteristics, like your ethnic background or any special educational needs

Any medical conditions you have

Details of any behaviour issues or exclusions

Photographs

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

We use this data to help run the school, including to:

Get in touch with you and your parents when we need to

Check how you're doing in exams and work out whether you or your teachers need any extra help

Track how well the school as a whole is performing

Look after your wellbeing

### **Our legal basis for using this data**

We will only collect and use your information when the law allows us to. Most often, we will use your information where:

We need to comply with the law

We need to use it to carry out a task in the public interest (in order to provide you with an education)

Sometimes, we may also use your personal information where:

You, or your parents/carers have given us permission to use it in a certain way

We need to protect your interests (or someone else's interest)

Where we have got permission to use your data, you or your parents/carers may withdraw this at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several

grounds which mean we can use your data.

### **Collecting this information**

While in most cases you, or your parents/carers, must provide the personal information we need to collect, there are some occasions when you can choose whether or not to provide the data.

We will always tell you if it's optional. If you must provide the data, we will explain what might happen if you don't.

### **How we store this data**

We will keep personal information about you while you are a pupil at our school. We may also keep it after you have left the school, where we are required to by law.

We follow the Local Authority guidance which sets out how long we must keep information about pupils.

### **Data sharing**

We do not share personal information about you with anyone outside the school without permission from you or your parents/carers, unless the law and our policies allow us to do so.

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

Our local authority – to meet our legal duties to share certain information with it, such as concerns about pupils' safety and exclusions

The Department for Education (a government department)

Your family and representatives

Educators and examining bodies

Ofsted

Suppliers and service providers – so that they can provide the services 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

### **National Pupil Database**

We are required to provide information about you to the Department for Education (a government department) as part of data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#), which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected

securely from schools, local authorities, exam boards and others.

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

You can find more information about this on the Department for Education's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) if you have any questions about the database.

### **Transferring data internationally**

Where we share data with an organisation that is based outside the European Economic Area, we will protect your data by following data protection law.

### **Your rights**

#### **How to access personal information we hold about you**

You can find out if we hold any personal information about you, and how we use it, by making a '**subject access request**', as long as we judge that you can properly understand your rights and what they mean.

If we do hold information about you, we will:

Give you a description of it

Tell you why we are holding and using it, and how long we will keep it for

Explain where we got it from, if not from you or your parents

Tell you who it has been, or will be, shared with

Let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person)

Give you a copy of the information

You may also ask us to send your personal information to another organisation electronically in certain circumstances.

If you want to make a request please contact our data protection officer.

#### **Your other rights over your data**

You have other rights over how your personal data is used and kept safe, including the right to:

Say that you don't want it to be used if this would cause, or is causing, harm or distress

Stop it being used to send you marketing materials

Say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)

Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it

Claim compensation if the data protection rules are broken and this harms you in some way

### **Complaints**

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by contacting our data protection officer.

You can also complain to the Information Commissioner's Office in one of the following ways:

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, please contact our data protection officer:

Peter Questier

Performance and Information Governance Officer

Children's Services

East Sussex County Council

01273 482291

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*This notice is based on the [Department for Education's model privacy notice for pupils](#), amended to reflect the way we use data in this school.*

### **3. Privacy notice for staff**

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 individuals we employ, or otherwise engage, to work at our school.

We, Western Road Community Primary School, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Peter Questier (see 'Contact us' below).

### **The personal data we hold**

We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

Contact details

Date of birth, marital status and gender

Next of kin and emergency contact numbers

Salary, annual leave, pension and benefits information

Bank account details, payroll records, National Insurance number and tax status information

Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process

Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships

Performance information

Outcomes of any disciplinary and/or grievance procedures

Absence data

Copy of driving licence

Photographs



CCTV footage

Data about your use of the school's information and communications system

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

Race, ethnicity, religious beliefs, sexual orientation and political opinions

Trade union membership

Health, including any medical conditions, and sickness records

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

The purpose of processing this data is to help us run the school, including to:

Enable you to be paid

Facilitate safe recruitment, as part of our safeguarding obligations towards pupils

Support effective performance management

Inform our recruitment and retention policies

Allow better financial modelling and planning

Enable ethnicity and disability monitoring

Improve the management of workforce data across the sector

Support the work of the School Teachers' Review Body

### **Our lawful basis for using this data**

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

Fulfil a contract we have entered into with you

Comply with a legal obligation

Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

You have given us consent to use it in a certain way

We need to protect your vital interests (or someone else's interests)

We have legitimate interests in processing the data.

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

### **Collecting this information**

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

## **How we store this data**

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with guidance from the Local Authority.

## **Data sharing**

We do not share information about you with any third party without your 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 you with:

Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about headteacher performance and staff dismissals

The Department for Education

Your family or representatives

Educators and examining bodies

Our regulator [specify as appropriate e.g. Ofsted, Independent Schools Inspectorate]

Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll

Financial organisations

Central and local government

Our auditors

Survey and research organisations

Trade unions and associations

Health authorities

Security organisations

Health and social welfare organisations

Professional advisers and consultants

Charities and voluntary organisations

Police forces, courts, tribunals

Professional bodies

Employment and recruitment agencies

## **Transferring data internationally**

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## **Your rights**

### **How to access personal information we hold about you**

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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

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

You may also have the right for your 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.

### **Your other rights regarding your data**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

Object to the use of your personal data if it would cause, or is causing, damage or distress

Prevent your data being used to send direct marketing

Object to the use of your personal data for 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**

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