

## Pupils/Parents/Carers Privacy Notice

### Purpose

We are Edith Kerrison Nursery School and Children Centre. The school is the Data Controller as defined in Data Protection Legislation.

The categories of information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, religion, sex, language and free school meal eligibility)
- attendance information (such as sessions attended, number of absences, absence reasons and previous schools attended)
- Special Educational Needs (including the needs and ranking)
- safeguarding information (such as court orders and professional involvement)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- assessment and attainment (such as phonics results, post 16 courses enrolled for and any relevant results)
- behaviour Information (such as exclusions and any relevant alternative provision put in place)
- Images
- CCTV Footage
- educational visits and activities
- biometric data if applicable
- catering and Free School Meal (FSM) information
- identity management/authentication

### Why we collect and use pupil information

We collect and hold personal information relating to our pupils/parents/carers. We may also receive information about pupils from their previous school, local authority and/or the Department for Education (DfE). We use the personal information to:

- support pupil learning
- monitor and report on pupil attainment progress
- provide appropriate pastoral care
- assess the quality of our services
- keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us by the Department for Education (DfE) data collections
- to keep former pupils informed about school events
- facilitate in school operations (in the case of biometrics for logging school dinners/attendance etc.)

Under Article 6 of the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing pupil information are::

to comply with a legal obligation

- to perform an official task in the public interest
- legitimate interests
- recognised legitimate interests

Less commonly, we may also process personal information 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 personal information, 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.

In addition, concerning any special category data, we rely on the following conditions from Article 9 of the UK GDPR and Schedule 1 Part 2 of the DPA 2018 for processing:

- Explicit consent - Article 9(2)(a)
  - Ethnicity
  - biometric data if applicable
  - images (not including CCTV)
- Reasons of substantial public interest - Article 9(2)(g)
  - health data - *(DPA 2018 Schedule 1 paragraph 18 - Safeguarding of children and individuals at risk)*
  - SEND information - *(DPA 2018 Schedule 1 paragraph 16 - Support for individuals with a particular disability or medical condition)*
  - religion - *(DPA 2018 Schedule 1 paragraph 8 - Equality of opportunity or treatment)*
  - safeguarding information *(DPA 2018 Schedule 1 paragraph 18 Safeguarding of children and individuals at risk)*

### Collecting pupil information

We collect pupil information via registration forms on admission or secure file transfer from a previous school, or via secure transfer from relevant external agencies.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

### Storing pupil data

We hold pupil data securely for the set amount of time shown in our Record of Processing Activities. For more information on our data retention schedule and how we keep your data safe, please contact the school.

You can also access our Data Protection Policy and our Appropriate Policy Document by requesting this form the office.

### Collecting and storing parent/carer/other individuals' information

We process the following data relating to parents, carers and other individuals associated with pupils:

Parent/carer names, addresses and contact details

- Emergency contact names, addresses and contact details
- Information regarding parental responsibility
- Languages spoken
- Parent date of birth and National Insurance number (for confirming Free School Meal eligibility)
- copies of passport/and two copies of proof of address

### Who we share information with

We routinely share personal information with:

- schools that pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- school to school networks
- relevant NHS staff including school nurse, physiotherapists, occupational therapists, audiologists, CAMHS, education psychologists etc.

We use third party processors to share information directly with above organisations to facilitate data reporting as part of our legal obligations. These processors, under our instruction as data controller, extrapolate relevant data from our MIS system as required to fulfil our duties as a public authority.

We rely on the recognised legitimate interests lawful basis for processing, the conditions for which are laid out in Schedule 4 of the Data (Use and Access) Act, to share pupil, parent, carer details with other public bodies where processing is necessary for the performance of a task carried out in the public interest, for the prevention of crime or for the safeguarding of vulnerable individuals.

Why we regularly share information

We do not share information without consent unless the law and our policies allow us to do so.

### Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

**[For use by maintained schools only:]** section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls, which meet the current government security policy framework.

For more information, please see 'How Government uses your data' section. For privacy information on the data the Department for Education collects and uses, please see:

<https://www.gov.uk/government/publications/privacy-information-early-years-foundation-stage-to-key-stage-3>

and

<https://www.gov.uk/government/publications/privacy-information-key-stage-4-and-5-and-adult-education>

### Transferring data internationally

Where we transfer personal information to a country or territory outside the United Kingdom, we will do so in accordance with data protection law.

### Requesting access to your personal data

The UK GDPR gives individuals certain rights about how their information is collected and used. To make a request for your personal information, or be given access to your child's personal data, please contact the school.

You also have the following rights, not all of which are absolute:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'.
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request.
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- the right to ask us to delete your personal information – this is called 'right to erasure'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'.
- the 'right to object to processing' of your information, in certain circumstances
- rights in relation to automated decision making and profiling.
- the right to withdraw consent at any time (where relevant).
- the right to complain to the Information Commissioner if you feel we have not used your information in the right way.

There are legitimate reasons why we may refuse your request for data, which will be explained clearly to you in the event of non-disclosure. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance via our Data Protection Complaints Procedure. If you are not satisfied with our response, you may then wish to contact the Information Commissioner's Office.

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

## Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the school.

## Contact

If you would like to discuss anything in this privacy notice, please contact the school on [info@edithkerrison@newham.sch.uk](mailto:info@edithkerrison@newham.sch.uk) or the school's Data Protection Officer (DPO) on [dpo@theeducationspace.co.uk](mailto:dpo@theeducationspace.co.uk).

## How Government uses your data

The pupil data that we lawfully share with the Department for Education (DfE) through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

## Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (DfE) (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 (DfE) and contains information about pupils in schools in England. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The data in the NPD is provided as part of the operation of the education system and is used for research and statistical purposes to improve, and promote, the education and well-being of children in England.

The evidence and data provide DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-mpd-privacy-notice/national-pupil-database-mpd-privacy-notice>

## Sharing by the Department for Education (DfE)

DfE will only share pupils' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, the law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department for Education's (DfE) NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting

For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfe-external-data-shares>

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the UK GDPR, you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the following address:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

or

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>