

GDPR privacy notice for pupils and their families

Schools are currently required to inform pupils and their families about how their personal data may be collected and used. This requirement will remain once the General Data Protection Regulation (GDPR) comes into effect on 25 May 2018; however, schools will be required to revise their privacy notices to include further information on processing individuals' personal data, in order to be compliant with the GDPR. Schools can use this template privacy notice to ensure they are compliant with the GDPR and communicate how they process personal data relating to pupils and their families.

Who processes your information?

St Mary's Catholic Primary School and Nursery 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. The Headteacher acts as a representative for the school with regard to its data controller responsibilities; they can be contacted on 01706 873123 or head@st-marys-bacup.lancs.sch.uk.

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 St Mary's Catholic Primary School and Nursery upholds are imposed on the processor.

Mrs Sally Walker is the data protection officer. Their role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the GDPR. The data protection officer can be contacted on 01706 973123 or s.walker@st-marys-bacup.lancs.sch.uk.

Why do we collect and use your information?

St Mary's Catholic Primary School and Nursery holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Article 6 of the GDPR :Processing shall be lawful only if and to the extent that at least one of the following applies:
 - (c) Processing is necessary for compliance with a legal obligation to which the controller is subject;
- Article 9 of the GDPR: Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

2. Paragraph 1 shall not apply if one of the following applies:

- (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.
- Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.
- Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013
- Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To assess the quality of our service
- To comply with the law regarding data sharing
- To safeguard pupils
- To allow the school to apply the school admission criteria

Which data is collected?

The categories of pupil information that the school collects, holds and shares include the following:

- Personal information – e.g. names, pupil numbers and addresses
- Characteristics – e.g. religion, ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information – e.g. sessions attended, number of absences and absence reasons
- Assessment information – e.g. national curriculum assessment results
- Relevant medical information
- Information relating to Special Educational Needs and Disability
- Behavioural information – e.g. number of temporary exclusions
- Family Information e.g. Parent names, contact details, Dates of Birth, Gender.

Whilst the majority of the personal data you provide to the school is mandatory, some is provided on a voluntary basis. When collecting data, the school will inform you whether you are required to provide this data or if your consent is needed. Where consent is required, the school will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

How long is your data stored for?

Personal data relating to pupils at St Mary's Catholic Primary School and Nursery and their families is stored in line with the school's GDPR Data Protection Policy.

In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

Details of the length of time we will hold Personal Data relating to pupils and either families can be found within our retention schedule

Will my information be shared?

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.

The National Pupil Database (NPD) is managed by the DfE and contains information about pupils in schools in England. St Mary's Catholic Primary School and Nursery is required by law to provide information about our pupils to the DfE as part of statutory data collections, such as the school census; some of this information is then stored in the NPD. The DfE may share information about our pupils from the NDP with third parties who promote the education or wellbeing of children in England by:

- Conducting research or analysis.
- Producing statistics.
- Providing information, advice or guidance.

The DfE has robust processes in place to ensure the confidentiality of any data shared from the NDP is maintained.

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 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:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

St Mary's Catholic Primary School and Nursery will not share your personal information with any third parties without your consent, unless the law allows us to do so. The school routinely shares pupils' information with:

- Pupils' destinations upon leaving the school
- The Local Authority
- The NHS
- EES For School (Target Tracker School Assessment System)
- School Spider
- Meritec (CPOMS)
- 2Simple (Purple Mash)
- Edufocus (Evolve)

What are your rights?

Parents and pupils have the following rights in relation to the processing of their personal data.

You have the right to:

- Be informed about how St Mary's Catholic Primary School and Nursery uses your personal data.
- Request access to the personal data that St Mary's Catholic Primary School and Nursery holds.
- Request that your personal data is amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling reason for its continued processing.
- Request that the processing of your data is restricted.
- Object to your personal data being processed.

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact : Mrs Sally Walker.

If you have a concern about the way St Mary's Catholic Primary School and Nursery and/or the DfE is collecting or using your personal data, you can raise a concern with the

Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.

Where can you find out more information?

If you would like to find out more information about how we and/or the DfE collect, use and store your personal data, please visit our website (www.stmarysbacup.org) to download our GDPR Data Protection Policy.
