



PRIVACY NOTICE

Pupil Data

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, who we would not consider capable of fully understanding and exercising their own data protection rights.

We, Frank Wise School, Hornbeam Close, Banbury, are the ‘data controller’ for the purposes of data protection law.

Our data protection lead within school is the Assistant Headteacher, and our data protection officer is TurnitOn (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
- Attendance information
- Safeguarding information
- Exclusion information
- Details of any support received, including care packages, plans and support providers

We may also collect, use, store and share (when appropriate) information about your child that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Details of any medical conditions, including physical and mental health
- Photographs
- CCTV images captured in school

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 collect and use this information

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 processing 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.

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

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.

Storing this information

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. Our Data Retention Schedule sets out how long we keep information about pupils. Please contact our data protection lead, Matt McArthur, if you have any questions about how long we keep information.

We have put in place appropriate security measures to prevent your personal information being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

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:

- The Local Authority - to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- The Department for Education - to meet our legal obligations to share certain information with it, for example destination data.
- The pupil's family and representatives - to meet our legal obligations to share certain information, for example attainment and progress.
- Educators and examining bodies - where there is legitimate interest, for example to provide a service that materially benefits pupil outcomes.
- Ofsted - to meet our legal obligations to share certain information with them, for example, during school inspections.
- Catering suppliers - to enable them to provide the service we have contracted them for, for example, to provide meals that meet dietary requirements.
- Health professionals - to meet our legal obligations to share certain information or where there is legitimate interest to do so, to provide a service that materially benefits the health and wellbeing of pupils and families.
- Social welfare professionals - to meet our legal obligations to share certain information or where there is legitimate interest to do so, to provide a service that materially benefits the health and wellbeing of pupils and families.
- Charities and voluntary organisations - where there is legitimate interest to do so, to provide a service that materially benefits the health and wellbeing of pupils and families, for example, Let's Play or Barnados.
- Police forces, courts, tribunals - to meet our legal obligations to share certain information with them.
- Youth support services - to meet our legal obligations to share certain information or where there is legitimate interest to do so, to provide a service that materially benefits the health and wellbeing of pupils and families.

We also provide pupil level personal data to third party organisations which supply services to us for which the provision of the data is essential for the service to be provided. Decisions on whether to release this data are subject to a robust approval process, including the arrangements in place to store and handle the data. We currently provide personal data for the following purposes:

Systems integral to the delivery of core business services:

- Integris (Management Information System)
- Parent Mail (communications)

Photographs

As part of our school activities, we may take photographs and record images of individuals within our school. Where we don't need parental consent, we will clearly explain to the pupil how the photograph and/or video will be used.

We will obtain written consent from parents/carers for photographs and videos to be taken of pupils for communication, marketing and promotional materials.

Where we need parental consent, we will clearly explain how the photograph and/or video will be used to both the parent/carer and pupil. Consent can be refused or withdrawn at any time. If consent is needed and is withdrawn, we will delete the photograph or video and not distribute it further.

We will only accompany them with a child's first name when using photographs and videos in this way, and no other personal information, to ensure they cannot be identified.

Why we share pupil information

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so, or where we have consent from a parent or carer.

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 the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Data collection requirements

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>.

Youth support services

Pupils aged 13+

Once our pupils reach the age of 13, we also pass pupil information to our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- youth support services
- careers advisers

A parent or carer can request that only their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once he/she reaches the age 16.

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform

independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

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>

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.

Your rights

Families have a right to make a 'subject access request' to gain access to personal information that the school holds about their child.

If you make a subject access request, and if we do hold information about you, 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
- 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 lead, Matt McArthur.

Requesting access to your personal data

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 Matt McArthur, Assistant Headteacher.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

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 or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

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 lead Matt McArthur, Assistant Headteacher - tel: 01295 263520

or our Data Protection Officer at gdpr@turniton.co.uk.

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 lead:

Matt McArthur - Assistant Headteacher - - tel: 01295 263520

Alternatively contact our data protection officer:

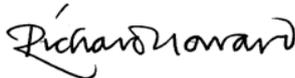
TurnitON - gdpr@turniton.co.uk

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.

Reviewed by: Matt McArthur

Date: January 2021

Date of Review: January 2023

Approved by Governors: 

Date: February 2021