



# Firthmoor Primary School

## Privacy Notice

### Privacy statement

Firthmoor Primary School is a Single Academy Trust which provides education for children aged 3 to 11. We are rated by Ofsted as an 'Good' school and are dedicated to providing the very best care, support and education for all our children. We want our school to be a happy, inclusive and successful community.

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, Firthmoor Primary School, are the 'data controller' for the purposes of data protection law.

The contact details for our data protection officer are:

#### **Data Protection Officer (for Schools)**

Corporate Services and Governance

Gateshead Council

Civic Centre, Regent Street,

Gateshead, Tyne & Wear, NE8 1HH.

Tel No: (0191) 433 2113 / 2192

Email: [DPO@Gateshead.Gov.UK](mailto:DPO@Gateshead.Gov.UK)

#### **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



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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
- To enable us to carry out specific functions for which we are responsible
- Assess performance and to set targets for schools

### **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.



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### **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. Our records management policy sets out how long we keep information about pupils.

Contact school to obtain more information on our schools record management policy including data retention.

### **How do we use your information?**

In order for us to provide your child/children with the best experience we need to collect personal data to enable us to educate your child/children under the requirements set by The Department of Education and the Education Funding Agency. All information relating to your child/children is used to enhance their personalised learning goals and if additional support is required for SEN or health-related matters.

Data relating to a person(s) of parental responsibilities is used to keep them informed of their child's/children's progress and for emergency purposes.

In any event, we are committed to ensuring that the information we collect and use is appropriate for this purpose, and does not constitute an invasion of your privacy.

### What about marketing?

In terms of being contacted for marketing purposes Firthmoor Primary School would contact you for additional consent.

We are really proud of the things we do at our School and we are keen to tell people about the wonderful things we do. We would like to send you information about our news and services which may be of interest to you. If you have consented to receive marketing, you may opt out at a later date. You have a right at any time to stop us from contacting you for marketing purposes or giving your information to third parties. If you no longer wish to be contacted for marketing purposes, please contact us immediately

### **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:



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- 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 (unless otherwise stipulated)
- Educators and examining bodies
- Our regulator Ofsted
- 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

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with EU data protection law. When transferring personal information outside the EEA:

- We include standard contractual data protection clauses approved by the European Commission for transferring personal information outside the EEA into our contracts with third parties (these are the clauses approved under Article 46.2 of the GDPR); or
- We ensure that the country in which your personal information will be handled has been deemed "adequate" by the European Commission under Article 45 of the GDPR.

In the absence of an adequacy decision pursuant to Article 45(3) of the GDPR, we may transfer personal data to a third country or an international organisation in accordance with other provisions of the GDPR.



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You can find out further information about the rules on data transfers outside the EEA, including the mechanisms that we rely upon, on the European Commission website by clicking [here](#)

### **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.

### **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 16), 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



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- 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.

To make a Data Subject Access Request you will need to provide two forms of identification

Parents/carers also have a legal right to access to their child's **educational record**. To request access, please use the Data Protection Officer contact details as set out at the end of this notice.

### 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.

### Can I find out the personal data that the organisation holds about me?

Firthmoor Primary School, at your request, can confirm what information we hold about you and how it is processed. If Firthmoor Primary School does hold personal data about you, you can request the following information:

- Identity and the contact details of the person or organisation that has determined how and why to process your data. In some cases, this will be a representative in the EU.
- Contact details of the data protection officer, where applicable.
- The purpose of the processing as well as the legal basis for processing.
- If the processing is based on the legitimate interests of Firthmoor Primary School or a third party, information about those interests.
- The categories of personal data collected, stored and processed.
- Recipient(s) or categories of recipients that the data is/will be disclosed to.
- If we intend to transfer the personal data to a third country or international organisation, information about how we ensure this is done securely. The EU has approved sending personal data to some countries because they meet a minimum



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standard of data protection. In other cases, we will ensure there are specific measures in place to secure your information.

- How long the data will be stored.
- Details of your rights to correct, erase, restrict or object to such processing.
- Information about your right to withdraw consent at any time.
- How to lodge a complaint with the supervisory authority.
- Whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether you are obliged to provide the personal data and the possible consequences of failing to provide such data.
- The source of personal data if it wasn't collected directly from you.
- Any details and information of automated decision making, such as profiling, and any meaningful information about the logic involved, as well as the significance and expected consequences of such processing.

### **What forms of ID will I need to provide in order to access this?**

Firthmoor Primary School accepts the following forms of ID when information on your personal data is requested such as:

- Passport
- driving licence
- birth certificate
- utility bill (from last 3 months)

### **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



# Firthmoor Primary School

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### 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**:

#### **Data Protection Officer (for Schools)**

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