

# Privacy Notice – Learners and Parents

## Firthmoor Primary School



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1.0	Initial Draft	Tristen Coad	Amie Chambers	25/11/2023
1.1	Annual Review – no amendments	Tristen Coad	Amie Chambers	25/11/2024
2.0	Full re-write as a separate document for learners and parents	Tristen Coad	Amie Chambers	31/01/2025
Considerations, Definitions & Terms				
<b>School</b>	Nursery, School, Academy, Trust, College, SAT, MAT			
<b>Learner</b>	Pupil, Student, Child, Children			
<b>Parent</b>	Parent, Guardian, Person(s) of care, holder of parental responsibility, Person in Parental Responsibility for a Learner			
<b>Office Manager</b>	Administrative Lead, School/Trust Business Manager, Administrative Manager			
<b>Headteacher</b>	Headteacher, Principal, CEO, Deputy CEO, Executive Headteacher, Head of School			
<b>Senior Leader</b>	Any and all members of Senior Leadership Team / Executive Leadership Team			

## 1. Scope

All data subjects whose personal data is collected, in line with the requirements of the UK GDPR 2021 and Data Protection Act 2018.

## 2. Responsibilities

The Data Protection Officer (DPO) is responsible for ensuring that this notice is made available to data subjects prior to **The School** collecting/processing their personal data.

All staff of **The School** who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject's attention and their consent to the processing of their data is secured.

## 3. Privacy notice

### 3.1 Who are we?

**The School** is the data controller of the personal information we hold about our **Learners** and their **Parents**. This means that we are responsible for deciding how we hold and use the personal information which we collect.

We are required under the General Data Protection Regulation (GDPR) to notify you of the information contained in this privacy notice.

We collect and use **Learner** information under the Education Act 2011 and other legislation. You may find the specific legislation at <https://www.gov.uk/government/organisations/department-for-education>

The majority of **Learner** information you provide to us is information which you are legally obliged to provide but some **Learner** information is provided to us on a voluntary basis. When collecting information from you we will inform you whether you are required to provide certain **Learner** information to us or if you have a choice in this.

This notice applies to prospective, current and former **Learner** and their **Parent** and those applying for a place at the school and their **Parent**. We may update this notice at any time but if we do so, we will inform you as soon as reasonably practicable.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the GDPR.

Our Data Protection Officer (DPO) and data protection representatives can be contacted directly here:

- [dpo@itsystems.uk.net](mailto:dpo@itsystems.uk.net)
- 0343 8868660

### 3.2 What personal information is collected

Personal data type:	Source (where <b>The School</b> obtained the personal data from if it has not been collected directly from you, the data subject. Note if the personal data has been accessed from publicly accessible sources):
Name	Pre-Admission
Address	Pre-Admission
Date of Birth	Pre-Admission
Parental contact details	Pre-Admission
Health details	Pre-Admission
Results of internal assessments	During Education
Non-sensitive characteristic information (Free school meal eligibility)	Pre-Admission
Results of externally set tests / examinations	During Education
Exclusion information	During Education
Behavioral information	During Education
Safeguarding and child protection information	Pre-Admission and During Education
Attendance information	During Education
Details of any support received, including care packages, plans and support providers	Pre-Admission and During Education
Assessment information	During and post-education
Images / Video	During Education
CCTV Footage	During Education

### 3.3 Collecting this information

Whilst the majority of information you provide to us is mandatory, some information is provided on a voluntary basis. In order to comply with the UK GDPR 2021, we will inform you whether you are required to provide certain information to us or if you have a choice in this. If it is mandatory, we will explain the possible consequences of not complying.

We collect some personal information about our **Learners** and **Parents** during the application process to the school.

We will sometimes collect additional information from third parties such as the Department of Education, examination board or previous school attended by a **Learner**.

We mainly collect personal information about our **Learner** and their **Parents** throughout the course of the **Learner's** time at the school, for instance when completing educational visit consent forms, from statutory curriculum assessments and throughout our relationship with a **Learner** when we are exercising our legal obligations as a public educational body and during our pastoral care

### 3.4 How we use your information

In order for us to provide children with the best experience we need to collect personal data to enable us to educate children under the requirements set by The Department of Education and the Education Funding Agency. All information relating to 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.

In terms of being contacted for marketing purposes **The 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.

The personal data we collect will be used for the following purposes:

- To carry out our obligations arising from any contracts entered and/or entering into by you and us
- Notify you of changes to our services
- Send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other activities, promotions of our associated companies goods and services
- Process a job application
- To ensure safeguarding of all individuals (staff and pupils)
- Facilitate the legal and regulatory requirements of local and central government departments
- To ensure the safety of persons whilst within our premises (health & safety and medical)
- Provide the highest levels of education provision to the pupils in our care
- Enable the development of a comprehensive picture of the workforce and how it is deployed (School workforce)
- Inform the development of recruitment and retention policies
- Enable individuals to be paid
- Support effective performance management
- 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
- Support external auditing process
- 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
- 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

### 3.5 **Basis for processing**

Our legal basis for processing for the personal data:

- Contractual obligation(s) arising from any contracts entered and/or entering into by you and us
- Legal obligations arising from any requirements and/or statutes from Central Government departments (Department of Education / Education Skills and Funding Agency)
- Explicit consent given to provide information about upcoming events, activities, campaigns and news associated to our school.

Any legitimate interests pursued by us, or third parties we use, are as follows:

- Marketing ventures on the school's behalf

Less commonly, we may also process 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)

The special categories deemed sensitive personal data concerned are:

- Racial
- Ethnic origin
- Political opinions
- Religious beliefs
- Philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data
- Health data
- Data concerning a natural person's sex life
- Sexual orientation

**The School** is permitted to utilise aspects of this data, however the legitimacy to use it must be:

- Classed as a legal or contractual obligation
- In the vital interests of the data subject
- Explicitly used solely for the intended purpose only

### 3.6 **How we store your 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.

### 3.7 **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.

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.

### 3.8 **Consent**

Whilst the majority of the personal data provided to **The School** is required for us to comply with our legal obligations, some of that information is provided on a voluntary basis through parental consent. A pupil aged 13 or over is considered capable of giving consent themselves and will not require express agreement from a **Parent**. However, if a child is not considered capable of giving consent themselves for example, due to an identified special educational need, a **Parent** may exercise the child's data protection rights on their behalf.

Where we need consent **The School** will make the request to **The Parent** for a **Learner** or, if aged 13 or over, the **Learner** themselves, with a specific and clear notice which explains the reasons why the data is being collected and how the data will be used. You should be aware if you do not consent to our collection of this type of data, this will not affect the standard of education we deliver to the **Learner**.

If we ask for your consent to use personal information, you can take back this consent at any time.

Consent not always required to process personal data, but when required it must be explicitly given. Where we are asking you for sensitive personal data we will always tell you why and how the information will be used.

Where we have obtained consent to use adult 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 adult personal data overlap, and there may be several grounds which justify our use of this data.

### 3.9 **Disclosure and data sharing**

The following third parties may receive your personal data for the following purpose(s) as part of the processing activities:

- Department of Education
- Our Local Authority
- Disclosure and Barring Service
- Ofsted
- IT Support and application providers (relevant to position in the school)
- Health authorities
- Safeguarding authorities
- Police Force, courts, tribunals
- Education establishments that students attend when departing
- Financial and insurance organization
- Any relevant funding authority

### 3.10 **Retention period**

We will only keep personal information for as long as necessary to fulfil the purposes we collected it (for example, to educate and look after pupils) and including for the purposes of satisfying any legal, accounting, or reporting requirements.

We do not store personal data forever; we only hold data for as long as we are legally able to do so. However, sometimes we will keep personal information for historical reasons (e.g. year group or sports team photographs) but you will always have a right to ask for it to be destroyed.

In determining the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

### 3.11 **Your rights as a data subject**

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access – you have the right to request a copy of the information that we hold about you.
- Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.
- Right of portability – you have the right to have the data we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing such as direct marketing.

- Right to object to automated processing, including profiling – you also have the right to be subject to the legal effects of automated processing or profiling.
- Right to judicial review: in the event that Organisation Name refuses your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined in clause 3.6 below.

All of the above requests will be forwarded on should there be a third party involved (as stated in 3.4 above) in the processing of your personal data.

### 3.12 Complaints

In the event that you wish to make a complaint about how your personal data is being processed by **The School** (or third parties as described in 3.4 above), or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority and **The School** data protection representatives Data Protection Officer (DPO).

The details for each of these contacts are:

	<b>Supervisory authority contact details</b>	<b>Data Protection Officer (DPO) contact details</b>
Contact Name:	Complaints Department	Data Protection Officer
Address line 1:	Information Commissioner's Office	IT Systems
Address line 2:	Wycliffe House	North Point
Address line 3:	Walter Lane	Faverdale North
Address line 4:	Wilmslow	Darlington
Address line 5:	Cheshire	DL3 0PH
Address line 6:	SK9 5AF	
Email:	<a href="https://ico.org.uk/concerns">https://ico.org.uk/concerns</a>	dpo@itsystems.uk.net
Telephone:	0303 123 1113	0343 8868660

### 3.13 Sharing your data

We do not share information about our **Learners** with anyone without consent unless the law and our policies allow us to do so. We only permit access to personal data for specified purpose and in accordance with our instructions.

We are required to share **Learners'** data with the Department of Education on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring. We also share information with the NHS or a **Learners** destination upon leaving school.

The Department of Education has a legal right to ask for particular information and is referred to as the "School Census". This information includes information on pupil characteristics such as date of birth, gender, ethnicity, religion, free school meal entitlement and special educational



needs status. A number of statistical releases are made available through the Department of Education website covering data on enrolments, participation rates, pupil teacher ratios, school leavers, attendance and school performance