



# Fynamore Primary School



## Privacy Notice - Pupils (How we use pupil information)

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, Fynamore Primary School, School Road, Calne, SN11 9UG, are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer (DPO) is:

Mr Andrew Ind, Headteacher, Cherhill C of E (VA) Primary School, Middle Lane, Cherhill, SN11 8XX.

### The personal data we collect, hold and share

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Personal information (including name, address, date of birth, unique pupil number)
- Contact details, contact preferences, 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
- Behaviour/exclusion information
- Relevant medical information
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs

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
- Carry out research
- Comply with the law regarding data sharing

### Our legal basis for using this data

We only collect and use pupils' personal data when the law allows us to. We collect and use pupil information under Section 537A of the Education Act 1996. The collection and processing of data is lawful under Article 6 of the General Data Protection Regulation (GDPR) (2018) as the data subject has given consent to the processing of his or her personal data for one or more specific purposes and the processing is necessary for compliance with a legal obligation to which the controller is subject. The collection and processing of personal data revealing racial or ethnic origin, religious beliefs and data concerning health, is lawful under Article 9 of the GDPR (2018) as the data subject has given explicit consent to the processing of those personal data for one or more specified purposes.

## **Most commonly, we process data 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.

## **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 retention of documents policy sets out how long we keep information about pupils and this can be found on our school website.

## **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:

- Our Local Authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions;
- The Department for Education – to provide statutory information;
- The pupil's family and representatives – eg. in cases of Safeguarding;
- Educators and examining bodies – to register pupils for testing, eg. SATS;
- Our regulator – Ofsted;
- Suppliers and service providers – to enable them to provide the service we have contracted them for;
- Financial organisations – through Census information;
- Central and local government – through Census information;
- Our auditors – eg. when paying for events taking place during school time;
- Health authorities – eg. Height, Weight, Hearing and Vision checks on pupils;
- IT support and security organisations – Oakford Technology;
- Other schools – eg. CTF (electronic data) files when pupils transfer school;
- Health and social welfare organisations, eg. VirginCare School Nurse, CAHMS, MASH, etc.;
- Professional advisers and consultants – eg. when we call in professional support for SEND, etc.;
- Charities and voluntary organisations – eg. to support emotional needs of pupils;
- Police forces, courts, tribunals – eg. in the case of serious Safeguarding incidents;
- Professional bodies – eg. when we call in professional support, for SEND, etc.
- Capita (SIMS student record system)
- ParentMail (parent communication system)
- Tucasi (SCOPAY online payment system)
- Fischer Family Trust (FFT - pupil assessment and progress tracking system)

## 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. 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.

The DfE 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 about the DfE'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 DfE has provided pupil information, please visit:

<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.

## 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 12), 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;
- 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:

Mr Andrew Ind, Headteacher, Cherhill C of E (VA) Primary School, Middle Lane, Cherhill, SN11 8XX.

Parents/carers also have a legal right to access their child's **educational record**. To request access, please contact;

School Office, Fynamore Primary School, School Road, Calne, Wiltshire, SN11 9UG.

## 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.

## 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. A copy of our complaints policy can be found on our school website ([www.fynamore.org.uk](http://www.fynamore.org.uk)).

To make a complaint, please initially contact the School Office. 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:

Ms Sarah Weber, Headteacher, Fynamore Primary School, School Road, Calne, SN11 9UG

**or** our Data Protection Officer:

Mr Andrew Ind, Headteacher, Cherhill C of E (VA) Primary School, Middle Lane, Cherhill, SN11 8XX.