



Burley Gate C E Primary School

School Student Privacy Notice

Data Protection Act 1998 and General Data Protection Regulations May 2018

(Formerly the Fair Processing Notice)

You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data. This privacy notice explains how we collect, store and use personal data about you.

Burley Gate C E Primary School is a member of Diocese of Hereford Multi Academy Trust, who is the Data Controller for the purposes the Data Protection Act (DPA) 1998 and the General Data Protection Regulations 2018. At Burley Gate C E Primary School, we collect information from you, and may receive information about you, from your previous school, local authority or the DfE.

The DPA defines "Personal Data" as data that relates to a living individual who can be identified:

- from that data, or
- from that data and other information which is in the possession of, or is likely to come into the possession of, the data controller

We hold some personal information about you to make sure we can help you learn and look after you at school. **We hold this personal data and use it to:**

- contact you or your parents when we need to
- support your teaching and learning
- monitor and report on your progress
- look after your wellbeing
- assess how well our school is doing

The categories of pupil information that we collect, hold and share include:

- Personal information (such as name, unique pupil number, address)
- Family information and contact details
- Medical and Special Educational Needs Information
- Assessment Information
- Behaviour information
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Photographs

We will only collect and use your information when the law allows us to. Most often, we will use your information where:

- We need to comply with the law
- We need to use it to carry out a task in the public interest (in order to provide you with an education)

Sometimes, we may also use your personal information where:

- You, or your parents/carers have given us permission to use it in a certain way
- We need to protect your interests (or someone else's interest)

Where we have permission to use your data, you or your parents/carers, may withdraw this at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

The lawful basis on which we use this information:

We collect and use pupil information under Article 6 of the EU GDPR 'Lawfulness of Processing', where we process information for the purposes of compliance with legal obligation, or legitimate interests pursued by us, the controller, or by a third party. We also process sensitive data for legitimate reasons e.g. biometric fingerprints for cashless payments – where specific individual consent is given prior to processing.

We are required to share information about our pupils with the Department for Education (DfE) under regulation 5 of The Education (Information about Individual Pupils) (England) Regulations 2013. 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>

Once our pupils reach the age of 13, we also pass pupil information to our local authority and/or the 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 youth support and careers advice services.

A parent or guardian 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 student once he/she reaches the age 16.

We share some personal information with third parties for reasons of legitimate interest. These third parties include:

- The local authority
- The Department for Education
- The Diocese of Hereford Multi Academy Trust
- The local health authority
- Examination Bodies
- Education Welfare Officer
- Alliance in Partnership (School Catering Providers)
- Capita SIMs – school database

We will not give information about you to anyone outside the school without your consent unless the law allows us to.

National Pupil Database

We are required to provide information about you to the Department for Education (a government department) as part of data collections such as the school census.

Some of this information is then stored in the National Pupil Database, which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

The Department for Education may share information from the database with other organisations which promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use your data.

You can find more information about this on the Department for Education's webpage on [how it collects and shares research data](#).

You can also contact the Department for Education if you have any questions about the database

Storing pupil data

We are required by law to hold pupil data information for "Date of Birth of the pupil + 25 years" at which point it is securely shredded and/or electronically permanently deleted. For further information please see <http://irms.org.uk/page/SchoolsToolkit>

<https://www.legislation.gov.uk/ukpga/1980/58/section/2>

For more information about services for young people, please visit our local authority website.

Your rights

How to access personal information we hold about you

You can find out if we hold any personal information about you, and how we use it, by making a '**subject access request**', as long as we judge that you can properly understand your rights and what they mean.

You may also ask us to send your personal information to another organisation electronically in certain circumstances.

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.

If you want to make a request please contact The Chief Operations Officer at the BAET.

Your other rights over your data

You have other rights over how your personal data is used and kept safe, including the right to:

- Say that you don't want it to be used if this would cause, or is causing, harm or distress
- Stop it being used to send you marketing materials
- Say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it

- Claim compensation if the data protection rules are broken and this harms you in some way

Complaints

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by contacting our Data Protection Officer dpo@ludlowschool.com.

You can also complain to the Information Commissioner's Office in one of the following ways:

- 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

Other Useful Links

<https://www.eugdpr.org/>

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/>