**Document Owner and Approval**

Nicola Harmer the owner of this document and is responsible for ensuring that this policy document is reviewed in line with School’s policy review schedule.

Signature: N Harmer Date: 30.10.23

**Change History Record**

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| **Version** | **Description of Change** | **Date of Policy Release by Judicium** |
| 1 | Initial Issue | 06.05.18 |
| 2 | Updated for UK GDPR and international transfers outside of the UK | 06.05.21 |
| 3 | Added reference to sharing data section about Department for Education request for regular attendance data collection | 18.02.22 |
| 4 | Added reference to Biometric Data. | 19.08.22 |
| 5 | Created a separate paragraph for collecting special category data. | 22.08.23 |

This privacy notice describes how we collect and use personal information about pupils, in accordance with the UK General Data Protection Regulation (UK GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

This notice applies to all pupils and parents.

**Who Collects This Information?**

Brentfield Primary School is a “data controller.” This means that we are responsible for deciding how we hold and use personal information about pupils and parents. Under data protection legislation, we are required to notify you of the information contained in this privacy notice.

This notice does not form part of any contract to provide services and we may update this notice at any time.

It is important that you read this notice with any other policies mentioned within this privacy notice, so that you are aware of how and why we are processing your information, what your rights are under data protection legislation and the procedures we take to protect your personal data.

**Data Protection Principles**

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

**Categories of Pupil Information We Collect, Process, Hold and Share**

We may collect, store and use the following categories of personal information about you:

* Personal information such as name, pupil number, date of birth, gender and contact information;
* Emergency contact and family lifestyle information such as names, relationship, phone numbers and email addresses;
* Characteristics (such as language, and free school meal eligibility);
* Attendance details (such as sessions attended, number of absences and reasons for absence);
* Performance and assessment information;
* Behavioural information (including exclusions);
* Images of pupils engaging in school activities, and images captured by the School’s CCTV system;
* Information about the use of our IT, communications and other systems, and other monitoring information;
* Financial details

We may also collect, store and use the following more sensitive types of personal information:

* Information about your race or ethnicity, religious beliefs
* Information about your health, including any medical conditions and sickness records.
* Special educational needs information;

**Collecting this Information**

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. To comply with the UK General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

**How We Use Your Personal Information**

We hold pupil data and use it for:

* Pupil selection (and to confirm the identity of prospective pupils and their parents);
* Providing education services and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
* Informing decisions such as the funding of schools;
* Assessing performance and to set targets for schools;
* Safeguarding pupils' welfare and providing appropriate pastoral (and where necessary medical) care;
* Support teaching and learning;
* Giving and receive information and references about past, current and prospective pupils, and to provide references to potential employers of past pupils;
* Managing internal policy and procedure;
* Enabling pupils to take part in assessments, to publish the results of examinations and to record pupil achievements;
* To carry out statistical analysis for diversity purposes;
* Legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care;
* Enabling relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
* Monitoring use of the school's IT and communications systems in accordance with the school's IT security policy;
* Making use of photographic images of pupils in school publications, on the school website and on social media channels;
* Security purposes, including CCTV; and
* Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

**The Lawful Bases on which we use this Information**

We will only use your information when the law allows us to. Most commonly, we will use your information in the following circumstances:

* Consent: the individual has given clear consent to process their personal data for a specific purpose;
* Contract: the processing is necessary for a contract with the individual;
* Legal obligation: the processing is necessary to comply with the law (not including contractual obligations);
* Vital interests: the processing is necessary to protect someone’s life.
* Public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law; and
* The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We need all the categories of information in the list above primarily to allow us to comply with legal obligations. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

**How we use particularly sensitive personal information**

Special categories of particularly sensitive personal information, such as information about your health, racial or ethnic origin, sexual orientation, or biometrics require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

* In limited circumstances, with your explicit written consent.
* Where we need to carry out our legal obligations in line with our data protection policy.
* Where it is needed in the public interest, such as for equal opportunities monitoring.
* Where it is necessary to protect you or another person from harm.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

**Sharing Data**

We may need to share your data with third parties where it is necessary. There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it’s the only way we can make sure you stay safe and healthy, or we are legally required to do so.

We share pupil information with:

* the Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013;
* Ofsted;
* Other Schools that pupils have attended/will attend;
* NHS;
* Welfare services (such as social services);
* Law enforcement officials such as police, HMRC;
* Local Authority Designated Officer;
* Professional advisors such as lawyers and consultants;
* Support services (including insurance, IT support, information security);
* Providers of learning software such as (e.g., Timetables Rockstar, Numberbots etc)
* The Local Authority.

The Department for Education request regular data sharing on pupil attendance to help support those vulnerable students and to assist with intervention strategies. Further information on how the Department for Education collects this data will be made available on the school website.

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations, we require them to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the UK and the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

**Why we Share this Information**

We do not share information about our pupils with anyone without consent unless otherwise required by law. For example, we share students’ data with the DfE on a statutory basis which underpins school funding and educational attainment. To find out more about the data collection requirements placed on us by the DfE please go to https://www.gov.uk/education/data-collection-and-censuses-for-schools.

**Storing Pupil Data**

The school keep information about pupils on computer systems and sometimes on paper.

Except as required by law, the school only retains information about pupils for as long as necessary in accordance with timeframes imposed by law and our internal policy.

## Full details on how long we keep personal data for is set out in our data retention policy, this can be found on our website.

**Retention Periods**

Except as otherwise permitted or required by applicable law or regulation, the school only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

Information about how we retain information can be found in our Data Retention policy. This document can be found on the school website

**Security**

We have put in place measures to protect the security of your information (i.e., against it being accidentally lost, used, or accessed in an unauthorised way).