



# GDPR Privacy Notice for Pupils and their Families

Signed by:

_____	Headteacher	Date: _____
_____	Chair of governors	Date: _____

Policy Review Date : July 2021

Schools are currently required to inform pupils and their families about how their personal data may be collected and used. This requirement will remain once the General Data Protection Regulation (GDPR) comes into effect on 25 May 2018; however, schools will be required to revise their privacy notices to include further information on processing individuals' personal data, in order to be compliant with the GDPR. Schools can use this template privacy notice to ensure they are compliant with the GDPR and communicate how they process personal data relating to pupils and their families.

### **Who processes your information?**

St Patrick's RC Primary School is the data controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed. The **Headteacher** acts as a representative for the school with regard to its data controller responsibilities; They can be contacted on 01706 648089 or **head@stpatricksrc.rochdale.sch.uk**.

In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school outsources data to a third party processor, the same data protection standards that St Patrick's RC Primary School upholds are imposed on the processor.

**John Kenmure** is the data protection officer. Their role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the GDPR. The data protection officer can be contacted on **01706 648089** or **office@stpatricksrc.rochdale.sch.uk**. *Currently under review with the trust*

### **Why do we collect and use your information?**

St Patrick's RC Primary School holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Article 6 of the GDPR :Processing shall be lawful only if and to the extent that at least one of the following applies:
  - (c) Processing is necessary for compliance with a legal obligation to which the controller is subject;
- Article 9 of the GDPR: Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

2. Paragraph 1 shall not apply if one of the following applies:

- (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.
- Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.
- Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013
- Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To assess the quality of our service
- To comply with the law regarding data sharing
- To Safeguard Pupils
- To allow the school to apply the school admission criteria

### Which data is collected?

The categories of pupil information that the school collects, holds and shares include the following:

- **Personal identifiers and contacts** – e.g. name, unique pupil number, contact details and address
- **Characteristics** – e.g. ethnicity, language and eligibility for free school meals
- **Safeguarding information** – e.g. court orders and professional involvement
- **Special educational needs and disabilities (SEND) information** – e.g. any needs you have
- **Medical and administration** – e.g. doctors' information, your health, allergies, medication and dietary requirements
- **Attendance** – e.g. sessions attended, number of absences, reasons for absences and any previous schools you have attended
- **Assessment and attainment** – e.g. any relevant test and exam results
- **Behavioural information** – e.g. exclusions and any relevant alternative provision put in place

Whilst the majority of the personal data you provide to the school is mandatory, some is provided on a voluntary basis. When collecting data, the school will inform you whether you are required to provide this data or if your consent is needed. Where consent is required, the

school will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

### **How long is your data stored for?**

Personal data relating to pupils at St Patrick's RC Primary School and their families is stored in line with the school's GDPR Data Protection Policy.

In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

Details of the length of time we will hold Personal Data relating to pupils and either families can be found within our retention schedule

### **Will my information be shared?**

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

The NPD is owned and managed by the DfE and contains information about pupils in schools in England – it provides evidence on educational performance to inform independent research as well as studies commissioned by the DfE.

Information on the NPD is held in an electronic format and it is securely collected from a range of sources, including schools, LAs and awarding bodies.

You can find out more about the NPD by following this link: <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The DfE has robust processes in place to ensure the confidentiality of any data shared from the NDP is maintained.

### **Sharing by the DfE**

The DfE is legally allowed to share pupils' personal information with certain third parties, including the following:

- Schools
- LAs
- Researchers
- Organisations connected with promoting the education or wellbeing of pupils
- Other government departments and agencies
- Organisations fighting or identifying crime

Organisations fighting or identifying crime, such as the Home Office and the police, may use their legal powers to contact the DfE to request access to individual level information relating to a crime. The DfE typically supplies information on around 600 pupils per year to the Home Office and approximately one per year to the police.

For more information about how the DfE collects and shares pupil information, you can look at the information in the following two links:

- <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>
- <https://www.gov.uk/government/publications/dfe-external-data-shares>

### How to find out what personal information the DfE holds about you

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.
- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

You can also contact the DfE directly using its online contact form by following this link:

<https://www.gov.uk/contact-dfe>

St Patrick's RC Primary School will not share your personal information with any third parties without your consent, unless the law allows us to do so. The school routinely shares pupils' information with:

Data Share Partner	Lawful Basis For Sharing
Pupils' destination upon leaving the school	Legal Obligation
The LA	Legal Obligation
The NHS	Public Task
The Department for Education	Legal Obligation
Inventry (Visitor Management)	Legal Obligation
Meritec (CPOMS)	Public Task
OTrack (Optimum Reports)	Public Task / Legal Obligation
Iris Connect	Public Task
Junior Librarian (Micro Librarian)	Public Task
NFER(National Federation For Educational Research)	Public Task / Legal Obligation
Capita Sims Agora	Public Task
Teachers2Parents (EduSpot)	Public Task
Wonde (Tootoot & OTrack Data uploader)	Public Task
Office 365 (Microsoft)	Legal Obligation

Sims (Capita)	Public Task / Legal Obligation
Provision Map (EduKey)	Public Task / Legal Obligation
GL Assessment	Legal Obligation
Maths Whizz	Public Task
2 Simple 2 Build a Profile / Purple Mash	Public Task / Legal Obligation
Evolve	Legal Obligation
Fisher Family Trust	Public Task
SchoolComms	Public Task
Cypad Catering System	Public Task

If you would like more information about what we share with each of the companies listed above please contact the school

### **What are your rights?**

Parents and pupils have the following rights in relation to the processing of their personal data.

You have the right to:

- Request access to the information the school holds about you.
- Restrict our processing of your personal data, i.e. permitting its storage but no further processing.
- Object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics.
- Have your personal data rectified if it is inaccurate or incomplete.
- Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- Request the deletion or removal of personal data where there is no compelling reason for the continued processing.
- Seek compensation, either through the ICO or the courts.

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the School Office.

If you have a concern about the way [St Patrick's RC Primary School](#) and/or the DfE is collecting or using your personal data, you can raise a concern with the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.

### **How to withdraw consent and lodge complaints**

Where our school processes your personal data with your consent, you have the right to withdraw your consent.

If you change your mind or are unhappy with how our school uses your personal data, you should let us know by contacting the school office on 01706 648089 or [office@stpatricksrc.rochdale.sch.uk](mailto:office@stpatricksrc.rochdale.sch.uk).

### **Where can you find out more information?**

If you would like to find out more information about how we and/or the DfE collect, use and store your personal data, please visit our website ([www.stpatricksrc.rochdale.sch.uk](http://www.stpatricksrc.rochdale.sch.uk)) or download our GDPR Data Protection Policy.

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