



"Only the very best will do"

---

## **Privacy Notice (How we use pupil information)**

We, Oldfield Brow Primary School, Taylor Road, Altrincham, WA14 4LA are the 'data controller' for the purposes of data protection law. 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.

In some cases, we may share your data which 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 the School upholds are imposed on the processor.

Matthew Keeffe from RADCaT Ltd is the Data Protection Officer, and who the School has nominated to support and advise on technical data protection matters. He will be supported for all matters relating to data protection, by Ms Hopkins School Business Manager. 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 **0161 926 8646** or [office@oldfield-brow.com](mailto:office@oldfield-brow.com) .

### **Why we collect, store and use this information:**

We use the pupil data to:

- support pupil learning and the delivery of education
- monitor and report on pupil progress
- provide appropriate pastoral care
- protect pupil welfare
- assess the quality of our services
- comply with the law regarding data sharing
- comply with our statutory obligations

### **The categories of personal data that we collect, use, store and share include:**

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

- Personal information (such as name, date of birth, gender, image, class details, admission data, unique pupil number, address, family contact details, GP contact details, dietary requirements, school history, attendance, behaviour log, assessment information, safeguarding information)

- Special categories of information (such as ethnicity, nationality, religion, country of birth, free school meal eligibility, medical needs, Special Educational Needs, Disability status)

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.

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education (DfE).

Also, when a pupil transitions from primary school to secondary school, we have a legal obligation to transfer certain personal data, including the pupil's educational record and certain special categories of personal data (such as ethnic origin), to the secondary school that the pupil will attend. This transfer takes place no later than 15 school days after the pupil ceases to be registered at the primary school and is carried out using secure file transfer services including the Department for Education's school-to-school (S2S) system.

However, it is often necessary or beneficial for secondary schools to receive this information earlier, usually in March, so that they can make the necessary preparations for the arrival of new pupils.

In respect of any information which the secondary school requires, at this early stage, in order to fulfil its duties as a school and a public authority (including any information necessary to make any preparations for safeguarding purposes or to make reasonable adjustments for disabilities), our legal basis for transferring this information is that it is necessary for the performance of a public task.

Additional personal data about the pupil may also be transferred to the secondary school, at this early stage, which is not strictly necessary for the secondary school's performance of its duties as a public authority, but which makes the process of transitioning from primary to secondary school more efficient and reduces the administrative burden both for the schools and, in some case, the parents or guardians of the pupil. In this respect, our legal basis for transferring this information is that it is necessary for the legitimate interest of both us and the secondary school in ensuring the smooth transition of pupils between the schools.

You have the right to object to this early transfer of information by contacting us and, if you do, we will only carry out this transfer where we can demonstrate that we have compelling, legitimate grounds to do so.

## **The lawful basis on which we use this information**

We are required to use pupil data when undertaking our legal obligations and to comply with our statutory functions.

The following information is processed as a result of the school's legal obligation:

- Pupil Name, Date of Birth, Gender, Image, Class details, Admission Date, ULN, UPN, Address, Family Members, Family Contact Details, GP Contact Details, Dietary Requirements, Ethnicity, Nationality, Religion, FSM, School History, Attendance, Medical Needs, Assessment Data, Behaviour Log, SEN Status, Safeguarding information.

We collect and use personal data in order to process the data Lawfully and as set out in the GDPR and UK law, including those in relation to the following:

For non-special/non-sensitive data:

- in relation to a contract for education with you and contained in the Education Act 1996.
- In relation to management of the school under the Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002 SI 2002, No 1171.
- In relation to School Admissions Code, Statutory guidance for admission authorities, governing bodies, local authorities, school's adjudicators and admission appeals panels December 2014
- In relation to Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013
- (Departmental Censuses) are the Education Act 1996 – this information can be found in the census guide documents on the following website <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

For special /sensitive data:

- In relation to the protection of children under the "Keeping children safe in education Statutory guidance for schools and colleges September 2018"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children July 2018.
- In relation to the safeguarding of children under the Safeguarding Act 2006

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to advise of any curriculum related or community-based activities we undertake or encourage you to attend, this may involve sending a newsletter or brief via text or email.

## **Consent**

The consent of parents may be relied upon to process some forms of pupil data. Provided we have written consent to do so, we share unidentified photographic and video images:

- with the school photographer
- on Twitter
- on the school website

- within the school environment and externally with the media for the purpose of promoting or publicising school activities and events during a pupil's time at the school.

We will also request consent in the following circumstances:

- To allow us to process personal and sensitive information for school visits ie. Name, DOB, Contact Telephone Number, Medical Requirements)
- To refer a pupil to an external agency for support

Where the legal reason for processing a pupil's personal information is based on consent, this consent can be withdrawn at any time, without affecting the lawfulness of our processing prior to your withdrawal. Please contact Miss Hopkins (School Business Manager) should you wish to withdraw your consent for any of the above activities.

## **Collecting pupil information**

Anyone who processes personal information must comply with the six principles of the GDPR to ensure that the data is:

- fairly, lawfully and transparently processed
- processed for specific, explicit and legitimate purposes
- limited to what is necessary for the purposes for which it is processed
- accurate and kept up-to-date
- held securely
- only retained for as long as is necessary for the reasons it was collected

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the 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.

## **Storing and Retention of Pupil Data**

Personal data relating to pupils at the School and their families is stored in line with the School's Records Management Policy.

In accordance with the GDPR, the school does not store personal data indefinitely (However, there may be exceptions to this, where we have obligations under our insurance cover scheme to retain data for indefinite or protracted periods); all other data is only stored for as long as is necessary to complete the task for which it was originally collected.

## **Whom we share pupil data with**

We routinely share pupil information with following:

- schools that the pupils attend after leaving us
- our Local Authority (Trafford), including the Behaviour Support Service,

- Learning Support Service, Trafford
- Music Service
- Remote Back Up Service
- the Department for Education (DfE)
- the Education and Skills Funding Agency (ESFA)
- the pupil's family and representatives
- the NHS
- the School Nurse
- Capita (who provide our Student Information Management System - SIMS)
- Teachers2Parents, who provide our email and text-messaging systems
- ParentPay, who provide our online payment system
- 3P Learning, who provide Mathletics
- Pobble, who provide a writing platform
- Charanga, who provide a music scheme used in school
- CD Instalations who provide our IT support
- LCP, who provide itrack (School Tracking System)
- Abacus - our on line reading scheme

We send out letters and consent forms on behalf of the Friends of the School (our PTA). It is your decision whether or not to provide the requested information for use at the specified event only.

We send out flyers on behalf of Trafford Music Service, Will Rogers (Music Specialist) and from sports and extra curricular providers. We do not routinely provide personal information to such providers and it is your decision whether or not to provide the information requested.

We will not give information about you to anyone outside this establishment without your consent unless the law permits it. We are required by law to pass some of your child's assessment information to the Local Authority for monitoring, tracking and provision of appropriate services, and to the Department for Education.

These organisations are then required to share some of this information with trusted partners including NHS Trusts and other Local Authorities in the case of admissions. Appropriate data will be used by certain Local Authority services to provide the best support possibly to children and young people.

## **Why we share pupil information**

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.

## **Data collection requirements**

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>.

## **The National Pupil Database (NPD)**

Some of the information about pupils we provide to the Department for Education is then stored in the National Pupil Database, which is owned and managed by the Department for Education and provides evidence on educational performance to inform independent research, as well as studies commissioned by the Department. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013. The database is held electronically so that it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and awarding bodies.

To find out more about the NPD, go to:

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about organisations to whom the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact the 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.

## **Requesting access to your personal data**

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 to be given access to your child's educational record, please contact Miss Hopkins (School Business Manager) or alternatively you can view our Data Subject Rights Policy on the school website, which will be available soon subject to Governor approval.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed
- claim compensation for damages caused by a breach of the Data Protection regulations

## Complaints

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office and report a concern online at <https://ico.org.uk/concerns/>

- call 0303 123 1113
- write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
- or via this link <https://ico.org.uk/concerns> .

## Contact

If you would like to discuss anything in this Privacy Notice, in the first instance, please contact Miss Hopkins, School Business Manager on **0161 926 8646**.

This notice is based on the Department for Education's model privacy notice for pupils, amended for parents and to reflect the way we use data at Oldfield Brow Primary School.