**Kimberworth Community Primary School**



 **GDPR**

**Privacy Notice for Parents/Carers**





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|  | **Approved by:** |  | Alison Stothard | **Date:**  September 2022 |
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|  | **Last reviewed on:** |  | September 2022 |  |
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|  | **Next review due by:** |  | September 2023 |  |
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|  | **DPO:** |  | Tim Pinto – tpinto@esafetyoffice.co.uk |  |
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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, Kimberworth Community Primary School, are the ‘data controller’ for the purposes of data protection law.

Our Data protection officer is Tim Pinto (see ‘Contact us’ details below).

**The personal data we hold:**

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

* Personal identifiers and contacts (such as name, unique pupil number, contact details, date of birth, identification documents and address).
* Characteristics (such as ethnicity, language, and free school meal eligibility).
* Safeguarding information (such as court orders and professional involvement)
* Special educational needs (including the needs, details of any support received, care packages, plans and support providers).
* Medical and administration, including physical and mental health (such as doctors’ information, child health, dental health, allergies, medication and dietary requirements).
* Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended).
* Assessment and attainment – results of internal assessments and externally set tests. (Such as Key Stage 1, phonics results and Key Stage 2 results).
* Behavioural information (such as exclusions and any relevant alternative provision put in place).
* Photographs.
* Trips and after school clubs.
* Free school meal data.

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

This list is not exhaustive, to access the current list of categories of information we process Please see the policies area on our school website.

**Why we collect and use this data**

We collect and use pupil information, for the following purposes:

* To support pupil learning
* To monitor and report on pupil attainment progress
* To provide appropriate pastoral care
* To protect pupil welfare
* To assess the quality of our services
* Administer admissions waiting lists
* Carry out research
* To keep children safe (food allergies, or emergency contact details)
* To meet the statutory duties placed upon us for Department of Education data collections
* To comply with the law regarding data sharing
* To contact parent/carers when we need to

**Our legal basis for using this data**

We only collect and use pupils’ personal data when the law allows us to.

Kimberworth Community Primary School holds the legal right to collect and use personal data relating to pupils and families, and we may also receive information regarding them from their previous school, LA and/or the DfE

**Most commonly we process it where:**

* We need to comply with 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.

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.

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information are:

* Article 6 and Article 9 of the GDPR
* Education Act 1996
* Regulation 5 of The Education (Information about Individual Pupils) (England) Regulations 2013

**The lawful basis for processing this information is under Article 6 of the GDPR:**

* Public Task – the processing is necessary for the school to perform a task in the public interest or for the official functions, and the task or function has a clear basis in law.
* Consent – the parent/guardian has given clear consent for the school to process the pupils’ personal data for specific purposes.
* Legal Obligation – processing personal data that is necessary for the legitimate interests of the school or those of a third party.

**Where special categories of data are collected under Article 9 of the GDPR:**

* The data subject has been given specific consent to the processing of their personal data for one or more specified purposes.
* Processing is necessary for reasons of substantial public interest, on the basis of the Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right of data protection and provide for suitable and specific measures to safeguard the fundamental rights in the interests of the data subject.

**How we collect pupil information**

We collect pupil information via

* Registration forms at the start of a new school year
* Common transfer files from a previous school where a child joins us from a previous school.
* Data Collection Sheets
* Change of Pupil details forms

Pupil data is essential for the schools’ operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis.

In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

If it is mandatory we will explain the possible consequences of not complying.

**How we store pupil 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 records management policy sets out how long we keep information about pupils and how we keep your data safe.
A copy of this is available on the school website by visiting [www.kimberworthprimary.org.uk](http://www.kimberworthprimary.org.uk)

**Data Sharing**

We do not share information about our pupils with anyone 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:

* Schools that the pupils attend after leaving us
* Our local authority – to meet our legal obligations to share certain information with it – such as safeguarding concerns and exclusions
* The Department for Education (DfE)
* The pupils’ family and representatives
* Educators and examining bodies
* Our regulator (Ofsted)
* Suppliers and service providers – to enable them to provide the service we have contracted them for.
* Financial Organisations
* Central and Local government
* Our auditors
* Survey and Research organisations
* Health Authorities (School nurse, NHS, CAMHS)
* Security Organisations
* Health and social welfare organisations
* Professional advisors and consultants
* Charities and voluntary organisations
* Police forces, court and tribunals
* Professional Bodies

**National Pupil Database**We are required to provide information about pupils to the DFE as part of statutory data collections such as the school census.

Some of this information is then stored in the National Pupil Database (NPD) which is owned and managed by the department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

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 go to:

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

You can also contact the DFE with any further questions about NPD.

**Transferring data internationally**Where we transfer personal data to a country or territory outside of 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 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 make a subject access request and 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
* 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 easy to read format.

**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.** Parents/carers also have a legal right to access to their child’seducational record.To request access please contact the school office.

**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 harm or distress
* Prevent it being used to send to direct marketing
* Object to decisions being taken by automated means (by a computer or a machine rather than a person)
* In certain circumstances have inaccurate personal data corrected, deleted or destroyed or restrict processing.
* Claim compensation for damages caused by breach of the data protection regulations

To exercise any of these rights please contact our data protection officer.

 **How Government uses your data**

The pupil data that we lawfully share with the DfE through data collections:

* Underpins school funding which is calculated based upon numbers of children and their characteristics in each school
* Informs ‘short term’ education policy monitoring ( for example school GCSE results or pupil progress measures)
* Support ‘longer term’ research and monitoring of educational policy. For example how certain subject choices go on to affect education or earning beyond school.

**Data Collection Requirements**To find out more about the data collection requirements placed on us by the Department of Education go to -

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

**Department for Education**The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

Section 3 of the Education (Information about Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](https://www.gov.uk/government/publications/security-policy-framework).

For more information, please see ‘How Government uses your data’ section.

**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 with us in the first instance.

To make a complaint please contact our data protection officer.

Alternatively you can make a complaint to the Information Commissioner’s Office at <https://ico.org.uk/concerns/>

Call 03031231113

Or write to: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

**Information About Third Party Processors To Include In Your Privacy Notice/Website**

Last updated: 24 February 2023

**Microsoft Online Services – Microsoft Office 365**

Microsoft Office 365 is a cloud productivity suite free to establishments in UK education. It provides pupils, teachers, and staff with enterprise-grade communication and productivity services which include email, online document editing and storage space.

For further information, please refer to the Microsoft website: What Microsoft does with customer data:

<http://www.microsoft.com/online/legal/v2/?docid=23&langid=en-GB>

If you are unable to access the website the postal address is: Office 365, Microsoft Corporation, Microsoft Way, Redmond, Washington, 98052-6399 USA

For Europe please contact: Microsoft Ireland Operations Limited is our data protection representative for the European Economic Area and Switzerland. The data protection officer of Microsoft Ireland Operations Limited can be reached at the following address: Microsoft Ireland Operations, Ltd. Attn: Data Protection, Carmenhall Road, Sandyford, Dublin 18, Ireland.

<https://privacy.microsoft.com/en-gb/privacystatement>

**Times Tables Rockstars**

Times Tables Rockstars provides online times tables practice for pupils and an overview for teachers. They are hosted completely online and are web browser driven. Access to Times Tables Rockstars resources is through the school’s learning platform. For further information, please refer to the Times Tables Rockstars website.

If you are unable to access the website, the postal address is: Maths Circle Ltd, Ossory Offices, Hazelwood Lane, Ampthill, MK45 2HF

<https://ttrockstars.com/page/privacy>

**Rising Stars (My Assessment and Reporting Kit)**

MARK is an online testing and reporting tool designed to help teachers analyse assessment data. Paper test scores are entered on to the online marksheets so teachers can analyse gaps in learning to inform targeted teaching. For further information, please refer to the Rising Stars (My Assessment and Reporting Kit) website.

If you are unable to access the website, the postal address is: Rising Stars UK Ltd, Carmelite House, 50 Victoria Embankment, London, EC4Y 0DZ.

https://www.hoddereducation.co.uk/privacynotice

**Class Dojo**

ClassDojo is a school communication platform that teachers, students, and families use to share what’s being learned in the classroom home through reward points and messages. For more information, please refer to the Class Dojo website.

https://www.classdojo.com/en-gb/privacy/?redirect=true

**Wonde**

Wonde enables accessibility to personal data from the school’s Management Information System to deliver a variety of apps and services on behalf of the school. As such Wonde ensures information security and enables the school to manage what access is given to personal data hosted on the school’s Management Information System. Wonde connects MyConcern, Renaissance Learning, Developing Experts, Provision Map, Free School Meals to the school’s MIS, EReception signing in system.

https://wonde.com/privacy-policy

**EVOLVE (EDU Focus)**

EVOLVEvisits is an online system for the planning, approval and management of educational visits, sports fixtures and extra-curricular activities. We use EVOLVE to support the planning, approval and management of educational visits and other activities.

https://edufocus.co.uk/pages/evolve/gdpr.asp

**CPOMS**

CPOMS is safeguarding software used within school to record any incidents regarding behaviour or issues to the safeguarding of children. Staff record incidents on the system and these can be read by the appropriate member of staff. Letters are also scanned onto the system, so the school has a full record of information relating to a child. Data is transferred to the child’s new school when they leave at the end of Year 6 (or earlier, if they transfer to another school).

If you are unable to access the website, the postal address is: CPOMS Systems Limited CPOMS House Acorn Business Park Skipton, North Yorkshire BD23 2UE

<https://www.cpoms.co.uk/privacy/>

**Arbour**

Arbour is student and staff management information system. It covers all different aspects of management within school such as taking class registers, tracking pupil progress and communicating with parents. All data is stored on a cloud based system.

If you are unable to access the website, the postal address is Arbor Education, Third floor, 80 Old Street, London, EC1V 9HU

<https://arbor-education.com/privacy-notice-cookie-statement/>

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To make a complaint please contact our data protection officer.

Tim Pinto

01405 494834

**Email:**tpinto@esafetyoffice.co.uk

**Web**: [www.esafetyoffice.co.uk](http://www.esafetyoffice.co.uk/)

Alternatively you can make a complaint to the Information Commissioner’s Office at <https://ico.org.uk/concerns/>

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Or write to: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF