



West Byfleet Junior School

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Headteacher: Lesley Lawrence

PRIVACY NOTICE FOR PUPIL RELATED PERSONAL DATA

West Byfleet Junior School is committed to protecting the privacy and security of personal data.

This privacy notice describes how we collect and use the personal data which you provide to us about yourself and your child(ren), in accordance with the General Data Protection Regulation (**GDPR**), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

Full details of our Data Protection Officer (DPO) are detailed in the '*Contact*' section below.

Who Collects This Personal Data

West Byfleet Junior School is a "data controller." This means that we are responsible for deciding how we hold and use the personal data which you provide to us.

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 comply with the law regarding data sharing

The Categories of Pupil Information That we Collect, Hold and Share Include:

- personal data about pupils such as name, surname, address, unique pupil number, date of birth, gender and contact information;
- personal data about parents/carers such as name, surname, address, relationship and contact information (phone numbers and email addresses);
- emergency contact details;
- characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility);
- attendance details (such as sessions attended, number of absences and reasons for absence);
- details of any support received, including care packages, plans and support providers;
- performance and assessment information;
- behavioural information (including exclusions);
- special educational needs information;
- relevant medical information;
- special categories of personal data (including, relevant medical information, special educational needs information);
- 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.

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**).

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.

Collecting This Personal Data

Whilst the majority of personal data you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the GDPR, 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 data we hold about you and your child(ren) is accurate and current. Please keep us informed if any of your personal data changes at any time during your relationship with us.

How We Use Your Personal Data

We collect, use and store pupil data 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 receiving 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 Basis on which we Collect, Process, Hold and Share Your Personal Data

We will only use your personal data when the law allows us to.

Most commonly, we process it where:

- we need to comply with a 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 (where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn);
- we need to protect the individual's vital interests (or someone else's interests);
- the processing is necessary to give effect to a contract between you and us.

We will also use your personal data for the purposes of the Departmental Censuses under the Education Act 1996. More information can be found at: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

Sharing Your Personal Data

We may need to share your personal data with third parties where it is necessary and there will be strict controls in place on who can see your personal data. For example, we share student's 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>.

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); and
- the Local Authority (to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions)
- the pupil's family and representatives
- educators and examining bodies
- suppliers and service providers – to enable them to provide the service we have contracted them for;
- our auditors;
- health and social welfare organisations.

Where we share personal data, we will do so securely or anonymised where possible and the recipients of the information will be required to respect the security of your data and to treat it in accordance with the law.

We do not transfer your personal data outside the EU.

Storing Your Personal Data

We keep the personal data which you provide to us on computer systems and sometimes on paper. Except as required by law, we only retain this personal data for as long as necessary in accordance with timeframes imposed by law and our internal policies.

If you require further information about our retention periods, please contact the School Business Manager in writing.

Security

We have put in place:

- measures to protect the security of your personal data (i.e. against it being accidentally lost, used or accessed in an unauthorised way); and
- procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

The National Pupil Database (NPD)

The NPD is owned and managed by the DfE and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the DfE. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The DfE 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 DfE 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; and
- 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 DfE's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the DfE 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 please visit the following website <https://www.gov.uk/contact-dfe>

Your Rights

Under GDPR, you have the right to request access to the personal data which we hold about you. To make a request for your personal data, or be given access to your child's educational record, please contact the Headteacher in writing.

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 purposes of direct marketing;
- object to decisions being taken by automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations.

If you want to exercise any of the above rights, please contact the Headteacher in writing.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the personal data (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

Right to Withdraw Consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the School Business Manager in writing. Once we have received notification that you have withdrawn your consent, we will no longer process your personal data for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Contact

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, we request that you raise your concern with the Headteacher in the first instance.

We have appointed a Data Protection Officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal data which cannot be resolved by the Headteacher, then you can contact the DPO on the details below:

Data Controller Name: Craig Stilwell

Data Controller Details: Judicium Consulting Ltd, 72 Cannon Street, London, EC4N 6AE

Data Controller Email: dataservices@judicium.com

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns/>

Changes to This Privacy Notice

We reserve the right to update this privacy notice at any time and we will provide you with a new privacy notice when we make any substantial updates. If you need to access our privacy notice at any time you will always have access to it via our website.