



**Sir Thomas Abney**  
PRIMARY SCHOOL

# Privacy Notice for Pupils and Parents

**Approved by:** The Governing Body

**Date:** November 2020

**Last reviewed on:** November 2020

**Next review due  
by:** November 2022

Sir Thomas Abney Primary School is committed to protecting the privacy and security of personal information. This privacy notice describes how we collect and use personal information about pupils, in accordance with the General Data Protection Regulation (GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

### **Who Collects This Information**

Sir Thomas Abney Primary School is a “data controller.” This means that we are responsible for deciding how we hold and use personal information about pupils. We collect information from you and may receive information about you from your previous school. If you have any queries about this Privacy Notice please contact our Data Protection Officer whose details are available on the last page of this notice.

### **The Categories of Pupil Information That We Collect, Process, Hold and Share include:**

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

- Personal information such as name, unique pupil number, date of birth, gender and contact information;
- Emergency contact and family information such as names, relationship, phone numbers and email addresses;
- 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);
- Performance and assessment information (such as KS results);
- Behavioural information (including exclusions);
- Special educational needs information;
- Relevant medical information (including doctors’ details, allergies, medication, dietary requirements and information about physical/mental health);
- Special categories of personal data (such as biometric data);
- School history (provided by any previous schools attended);
- 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;

### **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. 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.

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 working relationship with us.

## **Privacy Notice Addendum for Collection of Covid Data and Test and Trace**

- In the current pandemic, we may need to store your data for test and trace purposes. This is in order for the school to engage with the test and trace process, make decisions on safety within the school and whether individuals are required to self-isolate or carry out a test. To do this we will be recording your name, contact number and date and time of arrival as well as time of departure.
- To complement the above we may also ask for data that has not previously been supplied. This will allow us to assess an individual's ability to attend/return to school and what measures may need to be put in place to allow for a safe return.
- We, additionally, may need to collect data about individuals that you reside with in order to factor in appropriate considerations for their wellbeing.
- All data collected by the school will be processed in accordance with our retention, destruction, data protection and data security policies. All data collected for test and trace purposes will be retained for 21 days in accordance with government guidelines.
- The legal bases for using your data in these circumstances will be for the reasons of substantial public interest and in the interests of public health. Dependant on circumstances the basis may be to assess the working capacity of an employee or to protect the vital interests of yourself or another person.
- We may need to share select data with others. This can be with the NHS and emergency services, public health, public authorities as well as other stakeholders. This will only be done where it is necessary and proportionate for us to do so.

## **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;
- 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;
- To ensure the safety of pupils whilst in our care (food allergies, emergency contact details etc.)
- and protect children from harm

- To comply with the law regarding data sharing
- To notify families of pupils of any news and important information about the school
- 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.
- To provide support to pupils after they leave the school

### **The Lawful Basis 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>.

These lawful bases for processing personal data are specified in Article 6 of the GDPR (<https://gdpr-info.eu/art-6-gdpr/>). The majority of data processing that schools undertake will relate to the performance of the public task of supporting the learning and wellbeing of pupils throughout their school life.

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.

In addition, the lawful bases that we process special category personal data (previously referred to as 'sensitive personal data') under are:

- Compliance with employment and social security law

- Vital interests of the data subject
- Substantial public interest

These lawful bases for processing special category personal data are specified in Article 9 of GDPR (<https://gdpr-info.eu/art-9-gdpr/>). The majority of this data processing will relate to substantial public interest tasks for statutory and government purposes, as described in Part 2 of Schedule 1 of the Data Protection Act 2018:

<https://publications.parliament.uk/pa/bills/cbill/2017-2019/0153/18153.pdf> as 'necessary for the exercise of a function conferred on a person by enactment or the exercise of a function of the Crown, a Minister or a government department.'

### **Collecting Pupil Data**

We obtain pupil information via registration forms at the start of each academic year. In addition, when a child joins us from another school we are sent a secure file containing relevant information.

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.

### **Storing pupil data**

We hold records of pupil data for a set period of time depending on the type of information they contain. Details about how long we keep different types of records containing personal data can be found in our Retention Schedule on the school website.

### **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: -

- Staff within our school who require access in order to carry out their duties as professionals.
- the Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013; The pupil data that we lawfully share with the DfE through data collections underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school; informs 'short term' education policy monitoring (School GCSE results or Pupil Progress measures); supports 'longer term' research and monitoring of educational policy. (for example how certain subject choices go on to affect education or earnings beyond school). 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>.
- Ofsted;
- Other Schools that pupils have attended or will attend on leaving Sir Thomas Abney;
- 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 - The London Borough of Hackney uses data collected from schools to enable it to carry out specific functions for which it is responsible, such as the assessment of any special educational needs the child may have. To find out more about how The London Borough of Hackney process personal data it collects from schools, go to <https://www.learningtrust.co.uk/content/privacy-policy>

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 will not pass your personal data to any third parties for marketing, sales or any other commercial purposes. We will not transfer your data outside of the European Economic Area.

We do not share information about our pupils with anyone without consent unless otherwise required by law.

### **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.

If you require further information about our retention periods please see a copy of our policy on the school website.

### **Automated Decision Making**

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision making in limited circumstances.

Pupils will not be subject to automated decision-making, unless we have a lawful basis for doing so and we have notified you.

### **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).

### **The National Pupil Database**

The NPD is owned and managed by the Department for Education 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 Department. 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 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: 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 department'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 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 DfE: <https://www.gov.uk/contact-dfe>

### **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, please contact the school office.

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 Data Protection officer in writing, details on last page of this notice.

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



## **Right to Withdraw Consent**

In circumstances where you may have provided your consent to the collection, processing and transfer of your personal information 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 Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information 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 school 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 information which cannot be resolved by the school, then you can contact the DPO on the details below: -

### **Data Protection Officer name & contact details:**

**Craig Stilwell**

**Judicium Consulting Ltd, 72 Cannon Street, London, EC4N 6AE**

**[dataservices@judicium.com](mailto: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. We may also notify you in other ways from time to time about the processing of your personal information.