



WESTWOOD WITH IFORD SCHOOL
DATA PROTECTION POLICY

This policy should be read and understood in conjunction with the following policies and guidance:

- The Data Protection Act
- The General Data Protection Regulations (2016)
- IRMS Record Management Toolkit for Schools (Toolkit 5 2016)
- Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (DfE March 2016)
- Freedom of Information Toolkit and Procedures
- The school’s policies on:
 - Child Protection
 - Online Safety and Secure Data Handling
 - Code of Conduct for Staff

APPENDICES:

Appendix 1	Privacy Notice to pupils
Appendix 2	Privacy Notice to parents
Appendix 3	Privacy Notice to school staff
Appendix 4	Privacy Notice to school governors
Appendix 5	Online Safety Policy
Appendix 6	Information Asset Register
Appendix 7	IRMS Record Management Toolkit for Schools
Appendix 8	ICO – Notification of Security Breaches
Appendix 9	Data Subject Access Requests
Appendix 10	Freedom of Information Toolkit and Procedures

CONTENTS:

1. General Principles
2. Key Definitions
3. Requirements under the General Data Protection Regulations
4. Responsibilities
5. Rights of individuals
6. Privacy notices
7. Documentation
8. Accountability and governance
9. Personal Data Breach
10. Freedom of Information
11. Review of policy

1. General Principles:

- We recognise that schools have increasing access to a wide range of personal data about pupils, parents and staff, some of which we are legally required to gather and process in order to carry out our duties as a public authority, but also to support the development of pupils (educationally, socially and emotionally), to protect the pupils in our care and to facilitate the efficient running of the school.
- Data and records provide evidence for protecting the legal rights and interests of the school and provide evidence for demonstrating performance and accountability.
- Under the General Data Protection Regulations (GDPR) there are strict legal guidelines in place as to how data should be both 'controlled' and 'processed', which the school is fully aware of and complies with.
- These regulations apply to 'personal data', 'special categories of personal data' and personal data relating to 'criminal convictions and offences'.
- This policy applies to all data and records created, received or maintained by staff of the school in the course of carrying out its functions.

2. Key Definitions:

- **Records** are defined as all those documents which facilitate the business carried out by the school and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created or maintained in hard copy and/or electronically.
- **Personal data** is defined as any information relating to an identifiable person who can be directly or indirectly identified, including by reference to a unique indicator.

- **Special categories of personal data** (previously referred to as ‘sensitive data’) specifically refers to information held about an individual in the following categories:
 - race
 - ethnic origin
 - politics
 - religion
 - trade union membership
 - genetics
 - biometrics
 - health

and, as this data, by its very nature could create more significant risks to a person’s fundamental rights and freedoms, there are additional safeguards in place.

- **Data controllers** determine the purposes and means of processing personal data.
- **Data processors** are responsible for processing personal data on behalf of a controller.
- **Data protection impact assessments** are required when introducing new technology for the handling and processing of personal data and when data is processed on a large scale. They assess the level of risk involved and the security measures that need to be put in place to protect individuals.
- **Personal data breaches** are defined as a security incident that has affected the confidentiality, integrity or availability of personal data. A personal data breach takes place whenever any personal data is lost, destroyed, corrupted or disclosed; if someone accesses the data or passes it on without proper authorisation or if the data is made unavailable and this unavailability has a significant negative effect on individuals.
- **Subject Access Requests** gives individuals the right to see a copy of the information an organisation holds about them

3. Requirements of the General Data Protection Regulations

- Under the GDPR, the data protection principles (Article 5) set out the main responsibilities for organisations which require that personal data shall be¹:
 - a) processed lawfully, fairly and in a transparent manner in relation to the individual
 - b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
 - c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
 - d) accurate and, where necessary, kept up to date with every reasonable step being taken to ensure that personal data that is inaccurate, having regard to the purposes for which they are processed, is erased or rectified without delay
 - e) kept in a form which permits identification of the data subjects for no longer than is necessary for the personal data are processed, and
 - f) processed in a manner that ensures appropriate security for the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage using appropriate technical or organisational measures

¹ [See Article 5 of the General Data Protection Act for full legal terminology](#)

4. Responsibilities:

The school:

- has a corporate responsibility to maintain its records and record keeping systems in accordance with the regulatory environment and the person with overall responsibility for this policy is the Head Teacher. For more detail see sections below on '**Documentation**' and '**Accountability and Governance**'
- is required to appoint a Data Protection Officer to oversee the collection, processing and security of data and the person responsible at this school is **Mr Neil Baker** and they can be contacted by email: **head@christchurch.wilts.sch.uk**
- as both a controller and processor of personal data, has a responsibility to register with the 'Information Commissioner's Office' and to renew the registration annually
- must inform pupils, parents, staff and governors (through the issuing of **Privacy Notices** – see section below) what data they are required to collect and retain and the lawful basis for processing personal data as defined by Article 6 of the GDPR
- must, through the same Privacy Notices also inform pupils, parents, staff, and governors of any special category data and/or data on criminal convictions or offences, they hold, together with the lawful basis for that processing as defined by Articles 9 and 10 (respectively) of the GDPR

The Data Protection Officer:

- informs and advises the school and its employees about their legal obligations to comply with the GDPR and other data protection laws
- manages internal data protection activities
- advises on data protection impact assessments
- is the first point of contact for external supervisory authorities as well as those individuals (pupils, staff and parents) whose data the school holds

Individual staff and employees:

- must ensure that the records for which they are responsible are accurate and are maintained and disposed of in accordance with the school's records management guidelines. This will form part of staff induction procedures.

Parents/carers, pupils and staff:

- should ensure that the information they provide the school with is accurate and kept up to date

5. Rights of individuals on whom data is held

- The GDPR identified 7 'rights' of individuals on whom data is held, some of which apply to schools and others which are aimed at commercial practices. In this policy we have given guidance regarding each of these rights, but should you wish for more detailed information, this can be found on the ICO website or by clicking on the links below. You can also obtain hard copies of these documents from the school office. The 7 rights as outlined by the GDPR are:
 - [right to be informed](#)
 - [right of access](#)
 - [right to rectification](#)
 - [right to erasure](#)
 - [right to restrict processing](#)
 - [right to data portability](#)
 - [right to object](#)

- Some of these rights may not apply, depending on the legal bases on which we hold and process the data.
- Much of the data that schools are required to collect and process falls under our duty as a public authority in order for us to fulfil our legal obligations, and this basis is referred to as our 'public task'. In addition, we also hold data on other bases (as outlined in our Privacy Notices) namely, 'contract' (in relation to the staff we employ) 'consent' 'legitimate interests' and 'vital interests'. The table below shows the rights that apply in 3 areas.

LAWFUL BASIS	RIGHT TO ERASURE	RIGHT TO PORTABILITY	RIGHT TO OBJECT
Public Task	X	X	✓
Contract	✓	✓	X
Consent	✓	✓	X
Legitimate Interests	✓	X	✓
Vital interests	✓	X	X

- **Right to be informed: (Please also refer to the section below on 'Privacy Notices')**
At the time of requesting data from individuals (pupils, parents, staff, governors), the individuals must be informed of their rights regarding that data, which should include:
 - the name and contact details of the school's Data Protection Officer
 - the categories of personal data
 - the school's purpose and lawful process/es for processing data the categories of personal data being requested
 - the legitimate interests that apply where that is the lawful basis
 - who the data is shared with
 - how long it is held for
 - the right to withdraw consent at any time (where relevant depending on the lawful basis)
 - the right to lodge a complaint with a supervisory authority (the ICO)
 - whether the provision of personal data is part of a statutory requirement and the possible consequences of failing to provide the personal data, and
 - the existence of any automated decision making, including profiling and information about how decisions are made, the significance and the consequences
- In addition, there may be times during the school year when we may require further information from you for a specific purpose. At that time, we will advise you of any additional information regarding your rights as we are required to do by the GDPR.
- If we are reliant on 'consent' as our lawful basis, you will be advised of that and you will be required to give your consent in writing.
- **Right of access:** All individuals have the right to access their personal data and supplementary information and this is referred to as a 'Subject Access Requests (SAR)'. Appendix 9 gives more information on SAR in the form of 'Frequently Asked Questions'.
 - The right of access allows individuals to be aware of and verify the lawfulness of the processing of their data.
 - Individuals have the right to be provided with a copy of the information that is held on them free of any charge unless the request is manifestly unfounded, excessive or repetitive, in which case the school reserves the right to charge a reasonable fee, based on the administrative costs of providing that information.

- A reasonable fee may also be charged for further copies of the same information.
- Information must be provided without delay and at the latest within one month of receipt of the request, or longer depending on when the request is made (see final bullet point).
- Where the requests are complex or numerous, the school can extend the compliance period for a further two months as long as the individual requesting the information is informed that this will be the case within one month of the receipt of the request. The school will, at the same time, explain why this extension in time is necessary.
- Whilst it is always our aim to respond in a timely manner, given the nature of the school's academic year, should a request be received less than one month before the end of any term or within a school holiday period, the school will require an extended period of time in which to comply and this will be explained to the applicant at that time.
- The school reserves the right to refuse to respond to a request when they are manifestly unfounded or excessive, especially in they are repetitive. In such cases, the individual making the request will be informed of the school's decision not to comply together with the reason why, as well as informing them of their right to complain to the supervisory authority without delay and at the latest within one month.
- Where the request is made electronically, the school will provide the information requested in a commonly used electronic format.
- Where we hold a large amount of personal data about an individual, we can ask that the request be specific.
- **Right to rectification:**
 - Individuals have the right to have their personal data corrected if it is inaccurate or incomplete.
 - Where the school has disclosed this information to a third party (e.g. Department for Education or Local Authority) it is responsible for ensuring that the third party also corrects the data in question. The individual will be advised of any third parties to whom the data has been supplied, where appropriate.
 - The school must ensure that data is rectified within one month but we may extend this period for a further two months where the request is complex.
 - Where the school decides not to take action to rectify data at the request of an individual, we will explain why and inform them of their right to complain and to whom that complaint should be addressed.
- **Right to erasure:** Individuals have the right to request that their information is erased/deleted where there is no compelling reason for its continued processing i.e.:
 - where it is no longer necessary for the school to hold that data (bearing in mind the requirement to retain certain documents for a specific period of time²)
 - when, if the data is obtained under the basis of 'consent' that consent is subsequently withdrawn
 - where data has been unlawfully processed or where an individual objects to the processing and there is no overriding legitimate interest for the processing to continue.

² [IRMS – Toolkit 6 for schools \(Appendix 7\)](#)

- **Right to restrict processing:** In certain circumstances, individuals have the right to request the restriction or suppression of their personal data, which means that they can limit the way in which any organisation uses their data.
 - This right applies when:
 - an individual contests the accuracy of the data being processed
 - an individual believes that data has been unlawfully processed
 - the school no longer needs to keep the data but has been asked to do so in order to establish, exercise or defend a legal claim
 - an individual objects to the processing of the data and the school is considering whether its legitimate grounds override those of the individual in question.
 - The school can refuse to comply with a request for restriction if we believe the request to be manifestly unfounded or excessive (taking into account whether it is repetitive in nature) and we may either refuse to deal with the request or reserve the right to charge a fee in order to deal with it.
 - We will justify our decision for any action we take in writing. In the event that we do refuse to comply or wish to charge a fee, individuals will be informed within one month of the receipt of the request (with exceptions being made for school holidays) and will advise individuals of our reasons, their rights to make a complaint to the ICO and their rights to seek a judicial remedy.
 - Should the school decide it is appropriate to charge a fee or believe that we require additional information to identify an individual, no further action will be taken before that fee is received, after which the school still has one month to respond.
- **Right to data portability:** The right to data portability gives individuals the right to receive personal data they have provided to a controller in a structured, commonly used and machine readable format. It also gives them the right to request that a controller transmits this data directly to another controller.
 - The right to data portability only applies when:
 - the lawful basis for processing this information is consent **or** for the performance of a contract; and
 - the school is carrying out the processing by automated means (ie excluding paper files)
- **Right to object:** Where applicable, individuals have the right to object on “grounds relating to their particular situation”.
 - Where an individual exercises their right to object, we are required to stop processing the personal data we hold unless we can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual; or the processing is for the establishment, exercise or defence of legal claims.
 - Individuals are advised on their right to object in our Privacy Notice

6. **Privacy Notices:**

- The school, in compliance with the requirements of the GDPR, will issue Privacy Notices to all individuals on whom we hold data, at the time that they join our school, namely:
 - pupils (via their parents),
 - parents
 - staff
 - governors
- (See Appendices 1, 2,3 and 4 Copies of our Privacy Notices to pupils and parents can also be found on the school website.
- Our Privacy notices will contain the following information:

- the categories of data that we hold
- why we collect it
- the lawful basis on which we process that data
- who we share the data with
- how long we retain the data
- your right to access your data and your right to object

7. Documentation

- The GDPR contains explicit provisions regarding what we are required to document regarding the data we control. Article 30 states that we must document the following information, available both in electronic form on our website and as a paper copy, which can be obtained by request from the school office :
 - the name and contact details of our organisation
 - the contact details for our data protection officer
 - the purpose of our processing
 - descriptions of the categories of individuals and categories of personal data
 - who receives the personal data we process
 - our retention schedules (which are based on the IRMS Toolkit – Appendix 7)
 - a description of our technical and organisational security measures (also see the school’s Secure Data Handling Policy - Appendix 5)
- To this end, we have produced and maintained an ‘Information Asset Register’ (Appendix 6) in which we record the following information:
 - descriptions of the data that we hold (personal data, special category data and data relating to criminal convictions and offences)
 - the lawful basis for our processing with reference to Articles 6, 9 and 10 of the GDPR
 - in what format and how that data is held
 - how long we retain the data for

8. Accountability and Governance

Under the GDPR, the school is required to demonstrate that we comply with the principles of the accountability and responsibility and in order to do this we must:

- ensure that we implement appropriate technical and organisation measures which will include:
 - publication of this policy
 - on-going training for staff and induction for new staff
 - internal audits of our processing activities, including data protection impact assessments for personal and/or special category data that is processed on a large scale
 - internal audits of all the personal data we hold, including special categories of personal data which include the form that the data is held in, where it is held, who has access to it, the security measures in place and how long it is retained for
- ensure that our records are kept up to date and reflect our current position, and
- in the unlikely event of a data breach, (see 8 below on Personal data breaches) we will ensure that records are kept regarding the breach and the action we took in response to it.

9. Personal data breaches

- Personal data breaches can include:
 - access to the data we hold by an unauthorised 3rd party
 - deliberate or accidental action (or inaction) by a controller or processor
 - sending personal data to an incorrect recipient
 - computing devices containing personal data being lost or stolen
 - alteration of personal data without permission; and
 - loss of availability of personal data.
- The school needs to ensure that there are robust systems in place to detect, investigate and report any breaches of personal data.
- The GDPR makes it clear that when a security incident takes place, we are required, as a matter of urgency, to establish whether a personal data breach has occurred and, if so, promptly take steps to address it. Some data breaches will not lead to risks beyond possible inconvenience to those who need the data to do their job whilst other breaches can significantly affect individuals whose personal data has been compromised. This needs to be assessed on a case by case basis.
- Under the GDPR we are required to report a personal data breach within 72 hours, when it is felt that as a result of that breach there is likelihood of a risk to people's rights and freedoms. A breach can have a range of adverse effects on individuals which might include emotional distress and/or physical and material damage. Where it is not felt that this risk is likely, it is not necessary to report the breach but we will still document the breach and justify the decisions that have been taken, together with any subsequent action.
- Where the breach is likely to result in a high risk of adversely affecting individuals' rights and freedoms we will inform those individuals without undue delay.
- When reporting a breach, we are required to provide the GDPR with the following information:
 - a description of the nature of the personal data and, where possible, the categories and number of individuals concerned together with the category and number of personal data records concerned
 - the name and contact details of our Data Protection Officer
 - a description of the likely consequences of the personal data breach; and
 - a description of the measures taken, or proposed to be taken, to deal with the personal data breach including, where appropriate, the measures taken to mitigate any possible adverse effects.
- See Appendix 8 for more detailed information on the process of reporting data breaches as well as from the ICO's website.³
- We will keep records of any data breach, whether or not we are required to inform the ICO

10. Freedom of Information

The school understands its obligations under the Freedom of Information Act 2000 and the procedures and supporting documents which explain the process can be found in Appendix 10

³ [ICO's guidance to reporting a data breach](#)

11. Policy review

- This policy will be reviewed every 3 years or earlier in the event of any changes to legislation.

Approved by Governors: July 2018

Review date: July 2021

APPENDIX 1

Privacy Notice (How we use pupil information)

When your child starts at school and, as they continue to progress through the education system, we ask for and collect data in order to fulfil certain legal obligations and to support your child with their education, as well as their personal and social development. We take our responsibilities in this respect very seriously and your data is only shared with outside authorities where we are either legally required to do so, or to inform other agencies who are also involved in supporting your child whilst at school. There may also be times where medical information needs to be shared in the event of an emergency.

We have policies and procedures in place to ensure that we store and transmit all data in a secure way to protect your child's rights. A copy of our Secure Data Handling Policy, which covers this, can be viewed on the school website.

The purpose of this Privacy Notice is to inform you about the data we hold, who we share it with, why we share it and how long we retain it all. We are also, by law, required to advise you of the 'lawful basis/bases' under which we collect and process the data, as defined by the 'General Data Protection Regulations Act (GDPR)'. Below you will find a general outline of the data we hold but more detailed information can be found in our audit document which forms Appendix A of this Privacy Notice.

You can also find out more information about that by visiting our school website, westwoodwithiford.org/gdpr

The data that we collect about your child is defined by the GDPR as 'personal data' and in some cases is also called 'special category data', data which is perceived as being more sensitive (e.g. data on ethnicity and religion as well as medical data).

The categories of pupil information that we collect, hold and share for all pupils include⁴:

- **Personal information:** such as name, unique pupil number, address and date of birth
- **Characteristics:** such as ethnicity, language, nationality, country of birth and free school meal eligibility
- **Attendance information:** such as sessions attended, number of absences and absence reasons and any exclusions
- **Medical information:** such as allergies, medical conditions, disabilities, physical and mental developmental difficulties, doctor's contact details
- **Educational information:** such as school reports, assessment data, exam and test results

⁴ A more detailed audit of the data we hold can be viewed on the school website or alternatively, you can obtain a hard copy from the school office.

For some children we will also collect, hold and share data which includes:

- **Educational information:** such as information on their Special Educational Needs , reports and support provided by external agencies and 'Educational Health Care Plans'
- **Data on behaviour:** such as data on any exclusion and/or records of any major breaches of school policy
- **Date on Safeguarding:** such as concern sheets and Child Protection Plans
- **Administrative & Organisational:** such as data for clubs, trips and consent forms

Why we collect and use this information

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
- to support the work of other external organisations involved in the support of your child

In addition, throughout the school year we also take photograph and videos of pupils which are used:

- for displays around the school
- within our school prospectus and on our school website
- reports for sporting events, school plays or other purposes within school publications and the general media
- within the school newsletter
- on our class blogs and school social media account (photos only)

The lawful basis on which we use this information

We collect and use 'personal data' under the following 'lawful bases', as defined within the GDPRs:

- to fulfil our duties as a public authority, which is defined as our '**public task**'
- in order to ensure that we provide your child with the right level of support in order for them to progress well during their time at school, which is defined as our '**legitimate interest**'
- in the case of an emergency where your child might be in need of medical help and we are unable to contact you, which is defined as their '**vital interest**'

We collect and use 'special categories of personal data' under the following 'lawful bases' as defined within the GDPR:

- Article 9(2)(a): where you have understood the reason for us requesting the data and have given your consent to us doing so for the purpose specified

- Article 9(2)(b): where processing is necessary for the purposes of carrying out the obligations in the area of social protection law
- Article 9(2)(c): that processing is necessary to protect the vital interests of your child or of another person where you or your child are physically or legally unable to give consent.
- Article 9(2)(d): that processing is carried out in the course of our legitimate activities, with appropriate safeguards

For the taking and use of photographs, audio recordings and/or videos of pupils our lawful basis as defined within the GDPR is 'consent'. We will write to you when your child starts at our school to ask for your consent and will supply you with more detail.

Collecting pupil information:

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 pupil data

We hold the majority of pupil data for the time that your child remains at our school. When the transfer to another primary school and/or on to a secondary school, their data is also transferred.

Their final school will hold the majority of pupil data (contained within their individual pupil files) until they reach the age of 25. Some data is held for a shorter period of time and is thereafter destroyed. More detailed information can be found on our website or by asking at the school office.

Who we share pupil information with

We routinely share pupil information with:

- Parent Pay for communication and to receive payments from parents
- Local authority
- SENCo
- School nurse and relevant health professionals, when necessary to do so
- Club leaders
- Wrap Around Care provider
- Online learning resources
- Online curriculum assessment record keeping

Why we share pupil information

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

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) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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 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 National Computer Database

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, or be given access to your child's educational record, contact **Mrs Helen Evans**.

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; and
- claim compensation for damages caused by a breach of the Data Protection regulations

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 at <https://ico.org.uk/concerns/>

Contact

If you would like to discuss anything in this privacy notice, please contact:

Mrs Helen Evans, School Business Manager/Mr Neil Baker, DPO

APPENDIX 2

Privacy Notice (How we use information that we hold on parents/carers)

When your child joins our school, we ask you to provide us with some personal information, which is held on our central computer system, to enable us to contact you and also to address any specific needs in a manner that you would reasonably expect us to. There may also be times when we are required to share some of this information to protect the safety of your child and to fulfil legal obligations that we have as a school.

The categories of information that we collect, process, hold and share include:

- personal information (such as name, address, contact details both for home and workplace, including email)
- special categories of data including characteristics information on medical history or specific needs that you may have
- information to support your application for Free School Meals
- information to support you application for DBS clearance
- information to support your application to transport children other than your own

Why we collect and use this information

We use this data to:

- to enable us to contact you both as part of our normal procedures and in the event of any emergency concerning your child
- to enable email contact with you both for the distribution of information from the school and any communication specific to your child
- to fulfil our obligations under safeguarding legislation

The lawful basis on which we process this information

We process your 'personal data' under the lawful basis of 'legitimate interests', 'vital interests' and 'consent'. With the exception of information required in order for us to fulfil our safeguarding duties, there is no legal obligation that requires you to provide this information. However, if you decide not to, you need to understand that it would not be possible for us to contact you, either in an emergency or in the course of our normal communication with parents. Furthermore, where parents live at different addresses, unless we have all the information regarding those addresses, we would not be able to communicate with all parents.

Collecting this information

As it is not mandatory for you to provide us with this information and in order for us to comply with data protection legislation, we will inform you as to why we are requesting that information and your specific rights with respect to that information.

For more detailed information regarding the data we hold and the bases on which we hold it, please see the Appendix attached to this letter. In addition, you can find out more about the lawful bases we have applied and about the General Data Protection Regulations from our school website.

Storing this information

We store this information both in the original paper copy on which it was requested, as well as on our parent/pupil data base, which is password protected. Access to that data base is limited strictly to those staff who need to obtain the information and we take responsibilities regarding security very seriously.

Who we share this information with and why

We only ever share this information on a 'need to know' to facilitate contact with you as parents/carers of a pupil at our school, to support your child's learning and in the event of any medical emergency. We act strictly within the guidelines of our school policy, a copy of which can be found on our website or requested from the school office.

The school has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact **Mrs Helen Evans (School Business Manager) or Mr Neil Baker, DPO.**

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; and

- claim compensation for damages caused by a breach of the Data Protection regulations

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

Further information

If you would like to discuss anything in this privacy notice, please contact:

Mrs Helen Evans (School Business Manager) or Mr Neil Baker, DPO.

APPENDIX 3

Privacy Notice (How we use school workforce information)

We process personal data relating to those we employ to work at, or otherwise engage to work at our school. This is for employment purposes to assist in the running of the school and/or to enable individuals to be paid. We are also required to hold information on staff to fulfil our legal obligations to the Department for Education and the Local Authority in the submission of an annual School Census. In addition, we hold information in order to support staff as part of the process of continuous professional development and to enable us to contact staff or their next of kin in the event of an emergency

The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, employee or teacher number, national insurance number, addresses and contact details)
- special categories of data including characteristics information such as gender, age, ethnic group
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- payroll information

Why we collect and use this information

In addition to the reasons outlined above, we use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid
- as part of our safeguarding duties
- as part of our obligation to complete an annual school census return to the DfE
- maintain training records

The lawful basis on which we process this information

We collect and process ‘personal data’ under the following ‘lawful bases’, as defined within the GDPR:

- to fulfil our duties as a public authority to report to the LA and the DfE, which is defined as our ‘public task’
- to support the smooth running of the school and the effective development and

- deployment of staff, which is defined as our 'legitimate interest'
- to ensure the payment of staff and fulfilment of our contractual obligations, which is defined as 'contract'
 - in case of an emergency where you might be in need of medical help and we you are unable to given consent, which is defined as a 'vital interest'

We collect and process 'special categories of personal data' under the following 'lawful bases' as defined within the GDPR:

- Article 9(2)(a): where you have understood the reason for us requesting the data and have given your consent to us doing so for the purpose specified
- Article 9(2)(b): where processing is necessary for the purposes of carrying out the obligations in the area of social protection law
- Article 9(2)(c): that processing is necessary to protect you vital interests of you or another person where you are physically or legally unable to give consent
- Article 9(2)(d): that processing is carried out in the course of our legitimate activities, with appropriate safeguards
- Article 9(2)(h): processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of an employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services.

For more detailed information regarding the data we hold, the legislation that requires us to hold it and the specific lawful bases under which we hold each type of data, please refer to Appendix 1 – Audit of staff data, which is currently in development and will be available on completion on the Server staff share drive in the GDPR folder.

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 data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

Storing this information

We hold and retain school workforce data in line with our legal obligations under:

- the Education Act 1996
- section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments
- Keeping Children Safe in Education
- the requirements of the Disclosure and Barring Service and the Home Office
- the requirements of HMRC
- the Act of Limitation (1980) and
- with references to the Information Record Management Society,

Who we share this information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)

Why we share school workforce information

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

Local authority

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Department for Education (DfE)

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

[For use by maintained schools only:]

We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Data collection requirements

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

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

The department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal 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 securely store and handle the data

To be granted access to school workforce information, organisations must comply with its 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>

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

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact **Mrs Helen Evans (School Business Manager or Mr Neil Baker, DPO)**.

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; and

- claim compensation for damages caused by a breach of the Data Protection regulations

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

Further information

If you would like to discuss anything in this privacy notice, please contact:

Mrs Helen Evans (School Business Manager or Mr Neil Baker, DPO).

APPENDIX 4

Privacy Notice (How we use information that we hold on Governors)

When you join the school as a governor, we ask you to provide us with some personal information, which is held on our central computer system, to enable us to contact you and also to address any specific needs in a manner that you would reasonably expect us to. There may also be times when we are required to share some of this information to fulfil legal obligations that we have as a school.

The categories of information that we collect, process, hold and share include:

- personal information (such as name, address, contact details both for home and workplace, including email)
- information to support your application for DBS clearance

Why we collect and use this information

We use this data to:

- to enable us to contact you as part of our normal procedures
- to enable email contact with you both for the distribution of information from the school and any communication specific to the governing body
- to fulfil our obligations under safeguarding legislation

The lawful basis on which we process this information

We process your 'personal data' under the lawful basis of 'legitimate interests', 'vital interests' and 'consent'. With the exception of information required in order for us to fulfil our safeguarding duties, there is no legal obligation that requires you to provide this information. However, if you decide not to, you need to understand that it would not be possible for us to contact you, either in an emergency or in the course of our normal communication.

Collecting this information

As it is not mandatory for you to provide us with this information and in order for us to comply with data protection legislation, we will inform you as to why we are requesting that information and your specific rights with respect to that information.

For more detailed information regarding the data we hold and the bases on which we hold it, please see the Appendix attached to this letter. In addition, you can find out more about the lawful bases we have applied and about the General Data Protection Regulations from our school website.

Storing this information

We store this information both in the original paper copy on which it was requested, as well as on our data base, which is password protected. Access to that data base is limited strictly to those staff who need to obtain the information and we take responsibilities regarding security very seriously.

Who we share this information with and why

We only ever share this information on a 'need to know' to facilitate contact with you as a governor at our school. We act strictly within the guidelines of our school policy, a copy of which can be found on our website or requested from the school office.

The school has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact **Mrs Helen Evans (School Business Manager) or Mr Neil Baker, DPO.**

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; and
- claim compensation for damages caused by a breach of the Data Protection regulations

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

Further information

If you would like to discuss anything in this privacy notice, please contact

Mrs Helen Evans (School Business Manager) or Mr Neil Baker, DPO.