

Privacy Notice for Parents and Carers (How we use pupil information)



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 our pupils.

We, The Pathway Academy Trust trading as Wrotham Road Primary School, is the 'data controller' for the purposes of data protection law.

The Trust's Data Protection Officer (DPO) is:

Name: SchoolPro TLC Limited

Email: GDPR@SchoolPro.uk

Correspondence Address: Harper Sheldon Ltd, Midway House, Herrick Way, Staverton Technology Park, Staverton, Cheltenham, Gloucestershire GL51 6TQ

The personal data we hold

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

- Name, contact details and contact preferences for parents or carers, date of birth and identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records, including unique pupil number
- Characteristics, such as ethnic background, language, nationality, country of birth, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information, such as sessions attended, number of absences and absence reasons
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs

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

Why we collect and use this information

We use the pupil data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

The lawful basis on which we use this information

We only collect and use pupils' 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

Specifically, the legislation under which we collect and use pupil information for general purposes under **Article 6** and **Article 9** of the General Data Protection Regulation 2018 as well as **The Education Act 2005**.

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. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

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.

Collecting pupil information

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily. Whenever we seek to collect information from you or your child, we make it clear why we are collecting the information.

Storing pupil data

We create and maintain a file for each pupil 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. This is detailed in our records retention policy, which can be found on the Trust website.

Who we share pupil information with

We do not share information about pupils with any third party 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 pupil's family and representatives
- Educators and examining bodies
- Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for, including educational apps
- Our auditors
- The school photographer
- Health and social welfare organisations, including Health authorities
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts or tribunals
- Financial organisations
- Central and local government
- Survey and research organisations
- School trip organisations
- Security organisations
- Other professional bodies

Why we share pupil information

We are required to share information about our pupils with the DfE under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013. This data sharing underpins school funding and educational attainment policy and monitoring.

To find out more about the data collection requirements placed on us by the Department for Education (for example, via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The National Pupil Database (NPD)

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 the DfE, please visit: <https://www.gov.uk/contact-dfe>

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 or carers can make a request with respect 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 13, or where the child has provided consent).

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if 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 for
- 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 intelligible form

All subject access requests will be dealt with in line with the Subject Access Code of Practice and other guidance from the Information Commissioner's Office.

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 your school's Data Compliance Lead:

Margaret Tillet School Business Manager email m.tillett@wrotham-road.kent.sch.uk
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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, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact your school's Data Compliance Lead:

Margaret Tillett
School Business Manager
email m.tillett@wrotham-road.kent.sch.uk

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 this with us in the first instance through your school's Data Compliance Lead:

Margaret Tillett
School Business Manager
email m.tillett@wrotham-road.kent.sch.uk

To make a complaint, please contact our Data Protection Officer:

Name: SchoolPro TLC Limited
Email: GDPR@SchoolPro.uk

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Further information

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact:

Your school's Data Compliance Lead:

Margaret Tillett
School Business Manager
email m.tillett@wrotham-road.kent.sch.uk

Our Data Protection Officer:

Name: SchoolPro TLC Limited
Email: GDPR@SchoolPro.uk