



## **St Oswald's CofE Aided Primary and Nursery School**

### **Privacy notice for Parents/Carers**

This privacy notice explains how we collect, store and use personal data about pupils. We, St Oswald's CofE Aided Primary and Nursery School, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Mrs D. Wilson-Smith (Deputy Head Teacher).

#### **Who we are and what we do**

We are St Oswald's CofE Aided Primary and Nursery School, Church Street, Durham, DH1 3DQ. We are a voluntary aided primary school for children ages 3 – 11 years old. Our local authority is Durham County Council and we are part of the Diocese of Durham.

#### **The personal data we collect and hold**

We hold personal data about pupils, their parents/carers to support teaching and learning, to provide pastoral care and to assess how the school is performing. We may also receive data about pupils from other organisations including, but not limited to, other schools, local authorities, health care providers and the Department for Education.

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

- personal identifiers, contacts and characteristics (such as name, unique pupil number, contact details and address, parent(s) NI numbers)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1, key stage 2 and phonics results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)

*This list is not exhaustive.*

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services (including monitoring staff performance)
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing
- Identify pupil eligibility for Free School Meals, Pupil Premium funding and the nursery 15/30 hours entitlement.

### **Our legal basis for using this data**

The personal data collected is essential, in order for the school to fulfil their official functions and meet legal requirements.

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

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us

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

- for the purposes of (a), (b), (c) & (d) in accordance with the legal basis of Public task: collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function
- for the purposes of (e) in accordance with the legal basis of Vital interests: to keep children safe (food allergies, or medical conditions)
- for the purposes of (f) in accordance with the legal basis of Legal obligation: data collected for DfE census information
  - Section 537A of the Education Act 1996 or the Education Act 1996 s29(3)
  - the Education (School Performance Information)(England) Regulations 2007
  - regulations 5 and 8 School Information (England) Regulations 2008
  - the Education (Pupil Registration) (England) (Amendment) Regulations 2013

In addition, concerning any special category data:

- conditions a, b, c and d of GDPR - Article 9

On some occasions we may ask for consent to process data when its use is optional. On those occasions consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

### **Collecting this information**

We collect/obtain data from the LA, pupils, parents/carers, previous schools/settings (including Common Transfer Files, where applicable), teachers and other professionals where relevant (e.g. GP, hospital, social workers, health visitor, school nurse etc.)

### **How we store this data**

We keep personal information about pupils, and their parents/carers 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. We will only retain the data we collect for as long as is necessary. This would be to satisfy the purpose for which it has been collected in accordance with our data retention policy. Please contact us if you would like further details on this policy.

The security of data and information is important to us. This is why we follow a range of security policies and procedures to control and safeguard access to and use of your personal information. This includes both physical and technical security and integrity of all data.

Examples of our security include:

- Encryption, meaning that information is hidden so that it cannot be read without access knowledge (such as a password). This is done with a secret code or what's called a 'cypher'. The hidden information is said to then be 'encrypted';
- Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it;
- Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong;
- *Regular testing of our technology and ways of working including keeping up to date on the latest security updates (commonly called patches).*

### **Data sharing**

We do not share any of this data with any other organisation without your permission, except where the law requires it. For example, we are required to provide pupil data to central government through the Department for Education and the Education Funding Agency. Where it is necessary to protect a child, the school will also share data with the Local Authority Children's Social Services, medical professional and/or the Police. We share information with school's children transfer to. We will share information with the LA to check eligibility for free school meals.

We do not transfer personal data to countries outside the European Economic Area.

### **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. This includes access to their child's educational record. This should be made in writing or by e-mail to Mrs D. Wilson-Smith at St Oswald's CofE Aided Primary and Nursery School, Church Street, Durham, DH1 3DQ or [stoswalds.ce@durhamlearning.net](mailto:stoswalds.ce@durhamlearning.net) The school will respond within a 15 school days timescale.

Parents/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 16), 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, we will:

- Give you a copy of the information in an intelligible form
- Give you a description of the data we hold
- 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

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If we can not provide information to you, we will give you a description of the information we hold and the reason why it can not be disclosed to you at the time of your request.

### **Other rights**

Individuals have 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 our data protection officer.

### **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.

To make a complaint, please contact our data protection officer.

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

### **Contact us**

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

Mrs D. Wilson-Smith (Deputy Head Teacher)

Data Protection Officer

St Oswald's CofE Aided Primary and Nursery School

Durham

County Durham

DH1 3DQ

Tel: 01913868029

Email: [stoswalds.ce@durhamlearning.net](mailto:stoswalds.ce@durhamlearning.net)

Privacy Notice dated 23<sup>rd</sup> May 2018

Any updates and revisions will be posted on our website at:  
<http://www.stoswaldsdurham.net/parents/privacy-notice/>

## Document Control

### Revision History

Version	Revision Date	Revised By	Revision
1.0	23.5.18	DWS	New privacy notice

### Signed by

	Name	Signature	Date
Headteacher			
Chair of Governors			

### Distribution

Shared with
<ul style="list-style-type: none"><li>• Parents/carers and others via website</li><li>• Governors via committee meetings</li></ul>

Date for next review
As required (review at least annually)

## **Sharing with the DfE and the Government**

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 and school accountability and intervention (for example, 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)

## **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 National Pupil Database (NPD)**

Much of the data about pupils in England goes on to be held in 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. To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

## **Sharing by the Department of Education**

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

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