

# Privacy Notice for Pupils and Families

## Privacy Notice – General Data Protection Regulation (GDPR)

This Privacy Notice has been written to inform parents and pupils of Scholar Green Nursery & Primary School about what we do with your personal information. This Notice may be subject to change as the Data Protection Bill progresses.

### **Who are we?**

Scholar Green Nursery & Primary School is a 'Data Controller' as defined by Article 4 (7) of GDPR. This means that we determine the purposes for which, and the manner in which, your personal data is processed. We have a responsibility to you and your personal data and will only collect and use this in ways which are compliant with data protection legislation.

The school has appointed the School Business Manager to be its Data Protection Officer (DPO). The role of the DPO is to ensure that the school is compliant with GDPR and to oversee data protection procedures. contact details are:

Data Protection Officer  
Scholar Green Primary School  
Congleton Road North  
Scholar Green  
ST7 3HF  
admin@scholargreen.cheshire.sch.uk

### **What information do we collect?**

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

- Personal information of pupils and their family members e.g. name, unique pupil number, DOB and address
- Educational attainment
- Free school meal eligibility
- Attendance information (such as sessions attended, number of absences, absence reasons, punctuality and previous schools attended)
- Assessment and attainment information (such as phonics results, SATS results and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Safeguarding information (such as court orders and professional involvement)

We will also process certain 'special category' data about our pupils including:

- Relevant medical and administration information (such as doctors information, child health, dental health, allergies, medication and dietary requirements) - please note that where the pupil has a severe allergy or is thought to be at risk of needing emergency care for a medical issue then this will be shared with all the staff. We may do this in the form of photo identification in the staff room to ensure that all staff are aware of the issues should an emergency situation arise
- Special Educational Needs and Disabilities information (including needs and ranking)
- Characteristics, e.g. race, ethnicity, religion, language, nationality, country of birth.

### **Why do we collect your personal data?**

We use the information we collect for the following purposes:

- to support pupil learning
- to monitor and report on pupil progress and the national curriculum
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us for the Department for Education (DfE) data collections.
- to comply with the law regarding data sharing
- to enable our parents to make online payments
- to enable communication with parents (ie School Spider)
- to report to the Governing Body to enable them to carry out their statutory duties
- to meet our statutory duties in relation to reporting (ie information on the school website)
- to comply with statutory duties in relation to safeguarding of pupils

Any personal data that we process about our pupils and parents is done so in accordance with Article 6 and Article 9 of GDPR (Under the UK General Data Protection Regulation (UK GDPR)).

Our legal basis for processing your personal data, in line with Article 6(1)(c) include:

- Education Act 1944, 1996, 2002
- Education and Adoption Act 2016
- Education (Information About Individual Pupils)(England) Regulations 2013
- Education (Pupil Information) (England) Regulations 2005
- Education and Skills Act 2008
- Children Act 1989, 2004
- Children and Families Act 2014
- Equality Act 2010
- Education (Special Educational Needs) Regulations 2001

We also process information in accordance with Article 6(e) and Article 9(2)(g) as part of the official authority vested in us as Data Controller and for reasons of substantial public interest. Such processing, which is not mandatory but is considered to be in our pupils' interests, include:

- School trips
- Extra curricular activities

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. When we do process this additional information we will ensure that we ask for your consent to process this.

### **Who do we obtain your information from?**

Much of the information we process will be obtained directly from you (pupils and parents). We will also process information received from:

- Department for Education (DfE)
- Local Education Authority – Cheshire East Council
- Previous schools attended

We collect pupil information, for example, via Registration Forms, Common Transfer File (CTF) or secure file transfer from previous schools.

The school does not use automated decision-making or profiling in any processes that involve personal data. All decisions related to admissions, academic assessments, disciplinary actions, and other matters involving students are made by qualified personnel, ensuring a fair and transparent evaluation based on individual circumstances

### **Who do we share your information with?**

We may share personal information with external agencies and partners where this is necessary, lawful and proportionate, including but not limited to:

#### **1. Local Authority and Education Bodies**

- The Local Authority (LA)
- Department for Education (DfE)
- Ofsted
- Regional Schools Commissioner / Academy Trust (if applicable)
- Other schools (for transition purposes)

#### **2. Safeguarding and Child Protection**

- Children's Social Care
- Multi-Agency Safeguarding Hub (MASH)
- Local Safeguarding Children Partnership (LSCP)
- Police
- Probation services

- Youth Offending Team (YOT)

### **3. Courts and Legal Bodies**

- The Courts (including Family Courts and Magistrates' Courts)
- CAFCASS (Children and Family Court Advisory and Support Service)
- Solicitors and legal representatives
- Tribunals (e.g. SEND Tribunal)
- The Crown Prosecution Service (where required)

### **4. Health and Wellbeing Services**

- NHS
- School Nursing Service
- General Practitioners (GPs)
- Child and Adolescent Mental Health Services (CAMHS)
- Educational Psychologists
- Speech and Language Therapists
- Occupational Therapists
- Public Health services

### **5. Special Educational Needs (SEN) Services**

- SEN Team at the Local Authority
- Early Help services
- Inclusion Support services
- Alternative Provision providers

### **6. Support and Welfare Organisations**

- Early Help / Family Support services
- Housing services
- Social Services
- Domestic abuse support services
- Voluntary and charitable organisations involved in pupil support

### **7. Regulatory and Oversight Bodies**

- Information Commissioner's Office (ICO)
- Health and Safety Executive (HSE)
- Disclosure and Barring Service (DBS)

### **8. Service Providers (Data Processors)**

- IT service providers
- MIS providers (e.g. Arbor, SIMS, etc.)
- Online learning platforms
- School meal providers
- Payment processing providers
- Educational software providers

- School transport providers
- Catering contractors
- Trip and activity providers
- Communication systems (e.g. ParentPay, SchoolComms)

## 9. Emergency Services

- Police
  - Ambulance Service
  - Fire Service
- schools that the pupils attend after leaving us
  - National Health Service bodies
  - The partners listed below
    - Education Software Solutions / Capita / Wonde / SIMS (Management Data Systems)
    - CPOMS
    - School Spider
    - Renaissance
    - Tapestry
    - Maths Circle (Numbots and Times Tables Rockstars)
    - Oxford University Press

For more information on information sharing with the DfE (including the National Pupil Database and Census) please go to:

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under: section 3 of The Education (Information About individual Pupils) (England) 2013.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls, which meet the current government security policy framework.

For more information, please see 'How Government uses your data' section. For privacy information on the data the Department for Education collects and uses, please see: <https://www.gov.uk/government/publications/privacy-information-early-years-foundation-stage-to-key-stage-3>

We will not share any information about you outside the school without your consent unless we have a lawful basis and our policies allow for doing so.

## How long do we keep your personal data for?

Scholar Green Primary & Nursery Primary School will keep your data in line with our Records and Data Retention Policy. Most of the information we process about you will be retained as determined by statutory obligations. Any personal information which we are not required by law to retain will only be kept for as long as is necessary to fulfil our organisational needs.

### **What rights do you have over your data?**

Under UK-GDPR parents and pupils have the following rights in relation to the processing of their personal data:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'
- the right to ask us to delete your personal information – this is called 'right to erasure'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'
- the 'right to object to processing' of your information, in certain circumstances
- rights in relation to automated decision making and profiling
- the right to withdraw consent at any time (where relevant). If you are unhappy with our use of your personal data, please let us know by contacting the Data Protection Officer as outlined on Page 1.
- the right to complain to the Information Commissioner if you feel we have not used your information in the right way.

To make a request for your personal information, or be given access to your child's educational record, contact the Data Protection Officer as details on page 1.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't haven't the right to object, but you have the right to withdraw consent.

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

If you have any concerns about the way we have handled your personal data or would like any further information, then please contact our DPO on the address provided at page 1.

If we cannot resolve your concerns you may also complain to the Information Commissioner's Office (the Data Protection Regulator) about the way in which the school has handled your personal data. You can do so by contacting:

First Contact Team  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
casework@ico.gsi.gov.uk // 03031 231113

### **Last updated**

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated in September 2024.

### **Contact**

If you would like to discuss anything in this privacy notice, please contact the Data Protection Officer as outlined on Page 1.

### **How Government uses your data**

The pupil data that we lawfully share with the Department for Education (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 (DfE) (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 (DfE) and contains information about pupils in schools in England. This information is securely

collected from a range of sources including schools, local authorities and awarding bodies.

The data in the NPD is provided as part of the operation of the education system and is used for research and statistical purposes to improve, and promote, the education and well-being of children in England.

The evidence and data provide DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-npd-privacy-notice/national-pupil-database-npd-privacy-notice>

## **Sharing by the Department for Education (DfE)**

DfE will only share pupils' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, the law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and 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 for Education's (DfE) 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 the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) 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/dfе-external-data-shares>

## **How to find out what personal information the Department for Education (DfE) holds about you**

Under the terms of the UK GDPR, you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

or <https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>