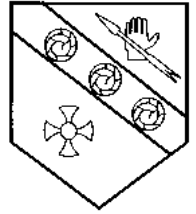


St. Hild's College CE Primary School

Privacy notice for Parents/ Carers about your child's data



Under data protection law, individuals have a right to be informed about how our 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 pupils at our school.

We, St Hild's College CE Aided Primary School, are the 'data controller' for the purposes of data protection law.

We have an identified member of staff who is our Data Protection Officer (DPO) in school.

1. Who we are and what we do

We are St Hild's College CE Aided Primary School, Renny's Lane, Gilesgate Moor, Durham, DH1 2HZ.

We are a maintained primary school for children aged 2 – 11 years old. Our local authority is Durham County Council.

2. The personal data we collect and hold

We hold personal data about pupils and their parents or 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 your child includes, but is not restricted to:

- Contact details, contact preferences, date of birth and identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Exclusion information
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers

We may also collect, use, store and share (when appropriate) information about your child that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any medical conditions we need to be aware of, including physical and mental health
- Photographs and images captured in school
- Characteristics, such as ethnic background or special educational needs

We may also hold data about your child that we have received from other organisations, including other schools and social services.

3. Why we use this data

We use this data to:

- a. Support pupil learning
- b. Monitor and report on pupil progress
- c. Provide appropriate pastoral care
- d. Protect pupil welfare
- e. Assess the quality of our services (including monitoring staff performance)
- f. Administer admissions waiting lists
- g. Carry out research
- h. Share and promote the learning of children within school
- i. Comply with the law regarding data sharing

4. Our legal basis for using this data

We collect and use personal data on the basis of performing a public task (educating children).

Our lawful bases for processing your child's personal data for the purposes listed in section 3 above are as follows:

- For the purposes of 3a, 3b, 3c, 3e, 3f, 3g, in accordance with the 'public task' basis – we need to process data to fulfil our statutory functions as a school
- For the purposes of 3i above, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law
- For the purposes of 3h above, in accordance with the 'consent' basis – we will obtain consent from you to use your child's personal data in relation to photographs and images of your child
- For the purposes of 3d above in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation

Where you have provided us with consent to use your child's data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so.

4.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your child's personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your child's life or someone else's life), in situations where you are physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation

- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your child's life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

5. Collecting this data

While the majority of information we collect about your child is mandatory, there is some information that can be provided voluntarily. Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about your child will come from you, but we may also hold data about your child from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

6. How we store this data

We keep personal information about children 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 appropriate security policies and procedures to control and safeguard access to and use of your child's personal information to prevent your child's personal information being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. This includes both physical and technical security and integrity of all data. We will dispose of your child's personal data securely when we no longer need it.

7. Data sharing

We do not share information about your child 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 your child with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Government departments or agencies
- Our regulator, Ofsted
- Suppliers and service providers
- Financial organisations
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

7.1 National Pupil Database

We are required to provide information about pupils to the Department for Education (DfE) as part of statutory data collections such as the school census. Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the DfE and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The DfE may share information from the NPD with third parties, such as other organisations which promote children's education or wellbeing in England. These third parties must agree to strict terms and conditions about how they will use the data.

For more information, see the DfE's webpage on how it collects and shares research data.

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

You can also contact the DfE with any further questions about the NPD.

<https://www.gov.uk/government/collections/national-pupil-database>

7.2 Transferring data internationally

We may share personal information about your child with international third parties outside of the European Economic Area, where different data protection legislation applies.

Where we transfer your child's personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

8. Your Rights

8.1 How to access personal information that we hold about your child

Parents/carers have a right to make a 'subject access request' to gain access to personal information that the school holds about their child. If you make a subject access request, and if we do hold information about your child, we will (subject to any exemptions that may apply):

- 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
- 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
- You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

To make a subject access request, please contact us. This request should be made in writing or by e-mail to The Chair of the Governing Body at the above address or sthilds@durhamlearning.net The school will respond within a 30 school day timescale.

8.2 Your right to access your child's educational record

Parents/carers also have the right to access their child's educational record (which includes most information about a pupil). This right applies as long as the pupil is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

To make a request, please contact the Head Teacher.

8.3 Your other rights regarding your child's data

Under data protection law, you have certain rights regarding how your child's personal data is used and kept safe.

For example, you have the right to:

- Object to our use of your child's personal data if it would cause, or is causing, damage or distress
- Prevent your child's data being used to send direct marketing
- Object to and challenge the use of your child's personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about your child deleted or destroyed, or restrict its processing
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us. This request should be made in writing or by e-mail to The Chair of the Governing Body at the above address or sthilds@durhamlearning.net The school will respond within a 30 school day timescale.

9. 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 if you 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 using the details specified in section 10.

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

10. 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:

Data Protection Officer
St Hild's College CE Aided Primary School
Renny's Lane
Gilesgate Moor
Durham
DH1 2HZ

Tel: 0191 3847451

email: sthilds@durhamlearning.net

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-collectionand-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/guidance/how-to-access-department-for-education-dfe-data-extracts>

Sharing by the Department of Education

The law allows the DfE 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/guidance/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, the 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 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/dfe-external-data-shares>

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