



## **Temple Herdewyke Primary School Privacy Notice for Parents and Pupils**

### **How we use your information**

#### **Who are we?**

Temple Herdewyke Primary School and Nursery is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Temple Herdewyke Primary School and Nursery is registered as the Data Controller with the Information Commissioner's Office (ICO): Registration Number: ZA240230

You can contact the school as the Data Controller in writing at:

Temple Herdewyke Primary School and Nursery, Falklands Place, Temple Herdewyke, Southam, Warwickshire, CV35 0DF

#### **What is a Privacy Notice?**

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

#### **What is Personal Information?**

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing or generic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

#### **What personal information do we process about pupils and parents?**

The pupil and parent information that we collect, hold and share includes:

- Personal information including a pupil's name, date of birth unique pupil number and home address
- Characteristics such as ethnicity, language, nationality, country of birth and free school meals eligibility
- Attendance information such as sessions attended, number of absences and absence reasons.
- Educational information including records of work, assessment results, relevant medical information, details of pupils' special educational needs, exclusions/behavioural information. Post-16 learning information
- Contact information for parents, carers and other relatives, including telephone numbers, home addresses and e-mail addresses.

- Information about a child's home life, where required as a part of necessary safeguarding and welfare processes.

### **Why do we use personal information?**

We use pupil data:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To assess the quality of our service
- To comply with the law regarding data sharing
- To safeguard pupils
- To maintain our own accounts and records
- To carry out fundraising
- To support pupil's career guidance

### **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 Regulator, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

### **What are the legal reasons for us to process your personal information?**

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

#### **1) To comply with the law**

We collect and use general purpose pupil information in order to meet certain legal requirements and legal obligations placed upon the school by law. We therefore are required to process this personal information for such purposes even if you have not consented to us doing so.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the school in writing.

#### **2) To protect someone's vital interests**

We are able to process personal information when there is an emergency and/or where a person's life is in danger. Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

#### **3) With the consent of the individual to whom that information 'belongs'.**

Whilst much of the personal information processed is in accordance with legal requirements, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

#### **4) To perform in a public task**

It is a day-to-day function of the school to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that pupils are properly educated and supported.

Details of the type of processing that we may undertake in this basis and who we may share that information is set out in Table 4.

### **Special category personal information**

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Processing relates to personal data which is manifestly made public by the data subject
- 3) Necessary for establishing, exercising or defending legal claims
- 4) Necessary for reasons of substantial public interest
- 5) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 6) Necessary for archiving, historical research or statistical purposes in the public interest.

The lawful reasons for each type of special category personal information data that we process is set out in the tables attached.

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

We routinely share pupil information with:

- Schools that the pupils attend after leaving us
- Warwickshire LA, our Local Authority
- The Department for Education (DfE)
- Other members of the Stowe Valley Multi-Academy Trust
- School and Trust Catering provision within the school(s)
- Education, training, careers and examination bodies
- School staff and boards
- Family, associates and representatives of the person whose personal data we are processing
- NHS and health care professionals
- Social and welfare organisations
- Law enforcement organisation and courts
- Current, past or prospective employers
- Voluntary and charitable organisations
- Business associates and other professional advisers
- Suppliers and service providers
- Financial organisations
- Security organisations
- Press and media
- School trips organisations

We do not share information about our pupils or parents unless the law and our policies allow us to do so.

Please refer to the table for information about what personal information is shared with which specific third parties.

### **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-census-for-schools>.

### **What do we do with your information?**

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. The school monitors the personal information it processed and will only share personal information with a third party if it has a legal basis to do so (as set out above).

### **How long do we keep information for?**

In retaining personal information, the school complies with the Retention Schedules provided by the Information Record Management Society. The schedule set out the Statutory Provisions under which the school are required to retain the information.

A copy of those schedules can be located using the following link:

[Http://irms.org.uk/page/SchoolsToolkit](http://irms.org.uk/page/SchoolsToolkit)

### **Transferring Data Internationally**

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

### **What are your rights with respect of your personal information?**

Under data protection law, 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 to have access to your child's educational record, contact the School Data Protection Officer at Warwickshire Legal Services via email at [schooldpo@warwickshire.gov.uk](mailto:schooldpo@warwickshire.gov.uk) or alternatively;

School Data Protection Officer

Warwickshire Legal Services

Warwickshire County Council

Shire Hall

Market Square

Warwick

CV34 4RL

You also have the right to:

- Object to processing personal data that is likely to cause, or is causing, damage or distressed;
- 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, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

### **Review**

The content of this Privacy Notice will be reviewed in November 2021

**Table 1** – Personal Information we are required to process to comply with the law:

<b>Information Type</b>	<b>Relevant legislation</b>	<b>Special Category – additional lawful reason</b>	<b>Third Parties with whom we share the information</b>	<b>Lawful reason for sharing</b>
Admission's register	Education (Pupil Registration) (England) Regulation 2006		HM Chief Inspector of Education, Stowe Valley Multi Academy Trust and the Local Authority	Legal Obligation
Attendance Register	Education (Pupil Registration) (England) Regulation 2006		HM Chief Inspector of Education, Stowe Valley Multi Academy Trust and the Local Authority	Legal Obligation
Common Transfer file	Education (Pupil Registration) (England) Regulation 2005		Destination Schools, Stowe Valley Multi Academy Trust and Local Authority	Legal Obligation
Curricular record	Education (Pupil Registration) (England) Regulation 2005		Destination Schools, Stowe Valley Multi Academy Trust and Local Authority	Legal Obligation
Educational record	Education (Pupil Registration) (England) Regulation 2005		Destination Schools, Stowe Valley Multi Academy Trust and Local Authority	Legal Obligation
Pupil Information	Education (Information About Individual Pupils) (England) regulations 2013		Secretary of State, Destination Schools, Stowe Valley Multi Academy Trust and the local Authority	Legal Obligation
SEN Report	Children and Families Act 2014		Destination Schools, Stowe Valley Multi Academy Trust and the local Authority	Legal Obligation
Attendance Information	Education Act 1996, section 444			Legal Obligation
Education Supervision Orders	Children's Act 1989 section 36			Legal Obligation
Exclusions	Education Act 1996, section 51A Education Act 2002, section 51A			Legal Obligation
Information relating to, the (local authority) or any school maintained by the local authority	Education Act 2002, section 180			Legal Obligation
Information relating to the school or provision of education for pupils	Education Act 2005, section 10			Legal Obligation

Pupil Information	Education Act 1996, section 537a Education Act 1996, section 5078 and 508A			Legal Obligation
Qualifying complaint	Education Act 2005, section 11B			Legal Obligation
Safeguarding and promoting welfare of pupils	Education Act 2002, section 175 Children's Act 1989, section 17 Children's Act 1989, section 47 Children's Act 1989, section 83 Children Act 2004, Section 11			Legal Obligation
School Attendance Order	Education Act 1996, section 437A Education Act 1996, section 317			Legal Obligation
Suitable Education	Education Act 1996, section 19 Education Act 1996, section 436A			Legal Obligation
Personal Information			Police, Courts and Legal Authorities	Legal Obligation

**Table 2** – Personal information we are required to process as it is necessary to protect someone's vital interests

Information Type	Special Category – additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Student Personal Data and Medical Data		NHS Professionals including Nurses, doctors, paramedics, etc.	Vital Interest
Student Personal Data and Medical Data		Trip Organisation bodies	Vital Interest
Student Personal Data and Medical Data		Social Services	Vital Interest
Student Personal Data and Medical Data		Educational Psychologist	Vital Interest
Student Personal Data and Medical Data		Specialist Teaching Service	Vital Interest
Student Personal Data and Medical Data		Speech and Language Therapist	Vital Interest
Staff Personal Data and Medical information		NHS Professionals including Test and Trace.	Vital Interest

**Table 3** – Personal Information we are required to process with the consent of the individual to whom that information ‘belongs’

Information Type	Special Category – additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Personal Information	Consent	Marle Hall	Consent
Personal Information		Warwickshire Music Tuition	Consent
Personal Information		Southam Leisure Centre	Consent
Pupil Images		3 <sup>rd</sup> Party Photographers, websites, social media accounts and promotional materials	Consent

**Table 4** – Personal Information we are required to process because it is necessary to do so in order to perform a public task.

Information Type	Special Category – additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Personal Information		Examination Boards (Standards Testing Agency)	Public Task
Student and Parent Personal Information		Parent Pay	Public Task
Personal and attainment data		O track	Public Task
Student Personal Information		Microsoft Office 365 Platform	Public Task
Student personal data		Smoothwall	Public Task
Student personal data		Pixl	Public Task
All student and Parent Data		Capita – school Management system	Public Task
Student Personal Data		CPOMs	Public Task
Student Personal Data		Tapestry	Public Task
Student Personal Data		Tempest Photography	Public Task
Student Personal Data		SPAG.com	Public Task
Student Personal Data		Class Dojo	Public Task
Student Personal Data		Purple Mash	Public Task
Student Personal Data		Times table Rock Stars	Public Task

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