



FERN HILL PRIMARY SCHOOL

Privacy Notice for parents and carers: use of your child's personal data

1. Introduction

Under UK 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.

Our trust, Kingston Educational Trust (%The Kingston Academy, Richmond Road, Kingston upon Thames, Surrey KT2 5PE), is the 'data controller' for the purposes of UK data protection law.

Our data protection officer is Zara Gallagher (see 'Contact us' below).

2. The categories of personal data we hold

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, identification documents
- Assessment, progress and attainment information including the results of internal assessments and externally set tests
- Pupil and curricular records
- Behaviour information
- Attendance information
- Safeguarding information
- Free school meals eligibility
- Dietary requirements
- Trips and enrichment activities
- Details of any support received, including pastoral support, plans and any external support
- Previous schools attended

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:

- Medical information, including physical and mental health (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Photographs and CCTV images captured in school
- Characteristics, such as ethnicity or special educational needs

We may also hold data about your child that we have received from other organisations, including other schools or trusts, the local authority and children's services.

This list is not exhaustive and will be periodically updated. To access the current list of categories of information we process from time to time, the latest version of this privacy notice will always be available on the data protection page of our website.

3. Why we collect and use pupil information

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

- a) to support pupil learning (including SEND support)
- b) to monitor and report on pupil attainment and progress
- c) to protect pupil welfare
- d) to provide pastoral care and enrichment opportunities
- e) to assess the quality of our provision
- f) to keep children safe (eg food allergies)
- g) to apply our admissions policy
- h) to meet the statutory duties placed upon us for Department for Education data collections
- i) to comply with the law regarding data sharing
- j) to support school moves and the transition to the next stage of a pupils' education

4. Our lawful basis for using this data

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

- for the purposes of (a), (b), (c), (d) (e) (f) (g) and (j) 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 (f) in accordance with the legal basis of Vital interests: in cases where it is necessary to provide medical information in emergency situations where they are unable to provide that information themselves (food allergies, or medical conditions)
- for the purposes of (h) in accordance with the legal basis of Legal obligation: data collected for DfE census information:
 - o Section 537A of the Education Act 1996
 - o the Education Act 1996 s29(3)
 - o the Education (School Performance Information)(England) Regulations 2007
 - o regulations 5 and 8 School Information (England) Regulations 2008
 - o the Education (Pupil Registration) (England) (Amendment) Regulations 2013Legal Obligation also applies where we are legally obliged to disclose information to third parties such as the police or courts.
- Consent for:
 - o use of photographs for the school newsletter, website, prospectus and other uses not directly related to the provision of education.

Consent can be withdrawn at any time and we will make this clear when we ask for your consent and explain how it can be withdrawn.

In addition, concerning any special category data we rely on Article 9 g of the UK GDPR where processing is necessary for reasons of substantial public interest and also where appropriate on one of the following conditions for processing:

- a: explicit consent
- b: employment, social security and social protection law
- c: vital interests
- e: data made public by the data subject
- f: legal claims and judicial acts

5. Collecting pupil information

We collect pupil information from parents via pupil information/registration forms prior to the start of each academic year (and also when pupils join during the year outside the usual transition point). In

addition, when a pupil joins us from another school we are sent a secure file containing relevant information and we seek information from that school to support their successful transition. We may also receive personal data from other organisations including local authorities and the Department for Education. Throughout the academic year we collect pupil data ourselves, for example from attendance registers and assessments.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

6. Storing pupil information

We hold pupil data securely and only for as long as we need to or for as long as the law requires us to, as shown in our data retention schedule. For more information on our data retention schedule and how we keep pupil data safe, please visit the [data protection page](#) on our website.

We have put in place appropriate security measures to prevent your child's personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your child's personal data securely when we no longer need it.

7. 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:

- the pupil's family and representatives
- educators and examining bodies
- Ofsted
- professional advisers and consultants
- charities and voluntary organisations
- police forces, courts, tribunals and Cafcass
- professional bodies
- schools that the pupils may attend after leaving us
- examination boards
- health authorities/NHS (eg school nursing service/vaccinations)
- health and social welfare organisations
- financial organisations, insurers
- our auditors
- our trust, Kingston Educational Trust
- trustees/trust associates and independent appeals services
- survey and research organisations
- local authorities, for example children's social care
- the Department for Education (DfE)
- library records system
- management information system
- trip management system (Evolve)
- providers of online learning resources
- other suppliers and service providers (to enable them to provide the service we have contracted them for) including: IT contractors; photographer; residential trip organisers

8. Why we share pupil information

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

Department for Education

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:

- regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013
- Section 537A of the Education Act 1996
- 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

All data is transferred securely and held by the Department for Education 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.

9. 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.

10. Requesting access to your personal data and other data rights

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information contact: Mrs Zara Gallagher, Data Protection Officer 020 8465 6200 or email: dataprotection@kingstoneducationaltrust.org (see the data protection page on our website for further details)

You also have the right to:

- object to the processing of personal data that is likely to cause, or is causing, damage or distress
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- a right to seek redress, either through the Information Commissioner's Office (ICO), or through the courts

11. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you have a concern or complaint about the way we are collecting or using pupil data, you should raise your concern with us in the first instance. To make a complaint, please contact our Data Protection Officer (contact details below).

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

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

12. Contact

If you would like to discuss anything in this privacy notice, please contact: Mrs Zara Gallagher, Data Protection Officer 020 8465 6200 or email: dataprotection@kingstoneducationaltrust.org

How Government uses your data

The pupil data that we lawfully share with the Department for Education 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 for 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 the Department to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, the Department 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>

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

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

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

November 2022