Privacy notice for parents and carers – your child's personal data

1 Introduction

Under UK data protection law, individuals have a right to be informed about how Parsons Down Partnership of Schools 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 **children at our schools**.

We, Parsons Down Partnership of Schools, are the 'data controller' for the purposes of UK data protection law. Our contact details are: Parsons Down Partnership of Schools, Herons Way, Thatcham, RG19 3SR, office@pdp.w-berks.sch.uk

Our data protection officer is SchoolDPO (see 'contact us' below).

2 The 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 and personal information (including name, address, date of birth, unique pupil number)
- Results of internal assessments and externally set tests
- Attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Characteristics (such as ethnicity, language, and free school meal eligibility)
- Medical information (any relevant medical conditions or treatments and a log of any incidents/illnesses that we are aware of and occurred in school, dietary requirements, doctor's information)
- Behaviour information (record or events as per our Behaviour Policy)
- Special educational needs and disability (any record of SEND along with associated observations, strategies and plans)
- Safeguarding information (such as court orders and professional involvement)
- Information on the use of the internet and ICT resources to ensure safe and appropriate use of resources
- Photographs
- CCTV images (where this is in place)

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 CCTV 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 the data to provide children with an education and to:

- Monitor pupil attainment and progress
- Provide appropriate pastoral care
- Assess the quality of our services
- Keep children safe
- Meet the statutory duties placed upon us by the Department for Education

4 Our lawful basis for using this data

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Carry out a task in the public interest
- Comply with a legal obligation

Less commonly, we may also use personal information about your child where:

- You have given us consent to use it in a certain way
- We need to protect your child's vital interests (or someone else's)
- There is a legitimate interest to share the information.

Where you have provided us with consent to use your 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.

For 'special category' and criminal offence data, we only collect and use it when we have both a lawful basis, as set out above, and one or more of the conditions for processing as set out in UK data protection law.

5 Collecting this data

While the majority of information we collect about your child is mandatory, there is some information that you can choose whether or not to provide us.

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 or your child, 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 your child while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary. Our records retention schedule sets out how long we keep information about your child. This is available on request (see 'contact us').

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 data with

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 UK data protection law), we may share personal information about your child with:

- Our local authority – West Berkshire Council – to meet our legal and statutory obligations to share certain information with them – such as safeguarding concerns and information about exclusions
- The Department for Education – to meet statutory obligations to provide them with information, especially with regard to data return
- Our regulator – Ofsted – to enable it to evaluate the education we provide, which is in the public interest
- Suppliers and service providers – such as our catering provider so that they can provide the services we have contracted them for
- Financial organisations – so they can provide the services we have contracted them for
- Our auditors – to demonstrate that we have taken appropriate action in providing your child with education
- Health authorities – to comply with our legal and statutory obligations
- Security organisations – with regard to legal or safeguarding investigations and to assist in crime prevention, detection and prevention of fraud
- Health and social welfare organisations – to enable us to comply with our duty of care and statutory safeguarding duties for your wellbeing
- Police forces, courts, tribunals – in order to uphold law and order

7.1 National Pupil Database

We are required to provide information about pupils to the Department for Education (a government department) under Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013 and as part of statutory data collections such as the school census and the early years census.

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 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

Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the Department 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 and others.

The Department for Education 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 Department's webpage on how it collects and shares research data. You can also contact the Department for Education with any further questions about the NPD.

7.2 Transferring data internationally

Where we transfer your personal data outside the UK, we will do so in accordance with UK data protection law.

8 Your rights

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

You have a right to make a 'subject access request' to gain access to personal information that we hold about your child.

If you make a subject access request, and if we do hold information about your child, we will (subject to any exemptions that 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 child's personal information to be transmitted electronically to another organisation in certain circumstances.
If you would like to make a request, please contact us (see 'Contact us' below).

8.2 Your right to access your child's educational record

It should be noted that the Education (Pupil Information) (England) Regulations 2005 do not apply to academies, so the rights available to parents in those Regulations to access their child's educational records are not applicable our schools. Instead, requests from parents for personal data about their child will be dealt with as a Subject Access Request.

8.3 Your other rights regarding your child's data

Under UK 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:

- Be informed about the collection and use of your child's personal data
- Object to our use of your child's personal data
- 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
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your child's personal data for a specific purpose
- 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 (see 'Contact us' below).

There are legitimate reasons why your information rights request may be refused. 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 have the right to object, but you have the right to withdraw consent.

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 have any other concern about our data processing, please raise this with us in the first instance.

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

- Report a concern online at https://ico.org.uk/make-a-complaint/
- 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**: Gerard Strong, Data Protection Officer, School DPO, gerard@schooldpo.com

In addition, our Headteacher has day-to-day responsibility for data protection issues in our schools. If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, you can also contact them via the school office.

11 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)

12 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

13 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/dfe-external-data-shares

14 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'. See the guide for details:
https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights

Further information on what personal information the Department for Education (DfE) holds about you published in the privacy notices for early years foundation stage to key stage 3. These are available below:
https://www.gov.uk/government/publications/privacy-information-early-years-foundation-stage-to-key-stage-3

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