

A nurturing, inclusive, learning community that enables everyone to be their best



CALTON
PRIMARY SCHOOL



CALTON
PLAYGROUP

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Privacy Notice:

How we collect and use Pupil information

AGREED BY:

FGB on 11th March 2024

Next review: 24/25

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**.

This privacy notice applies while we believe your child is not capable of understanding and exercising their own data protection rights.

Once your child is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), they would transfer to a privacy notice for pupils to see what rights they have over their own personal data, normally when they attend secondary school

Calton Primary School is the 'data controller' for the purposes of UK data protection law.

Our data protection officer is Gloucestershire County Council, Schools Data Protection Team, Information Management Service, Shire Hall, Westgate Street, Gloucester, GL1 2TP.
schoolsdpo@gloucestershire.gov.uk.

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, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Exclusion information including any behavioural observations
- General observations
- Characteristics, such as ethnic background, nationality, eligibility for free school meals or special educational needs;
- Attendance information
- Safeguarding and Special educational Needs information
- Data about your child that we have received from other organisations (ATS, EP, OH CAMHS etc), including other schools and social services
- Details of any support received, including care packages, plans and support providers
- Photographs and CCTV images captured in school
- Information about any medical conditions we need to be aware of, including physical and mental health
- Photographs and CCTV images captured in school

3. Why we use this data

The personal data we collect is essential to help pupils learn, to look after them, for the school to fulfil their official functions and meet legal requirements including to: We use the data listed above to:

- a) Get in touch when we need to
- b) Monitor and report on pupil attainment progress and work out whether we need to provide appropriate support in school
- c) Track how well the school is performing and the quality of our services
- d) Keep pupils safe and protect pupil welfare
- e) Provide appropriate pastoral care
- f) Administer admissions waiting lists
- g) Meet statutory duties placed upon us by the department for education
- h) We also use a small subject of pupil data to operate the following systems for the benefit of pupils (Library management systems, online payment systems, parental engagement systems)

4. Our lawful basis for using this data

Calton Primary School holds the legal right to collect and use personal data relating to pupils and their families and we may also receive information from previous school, Local Authority and/or the Department for education.

- We will only collect and use information when the law allows us to. Most often, we will use your information where:
- We need to comply with the law, including the following:
 - Article 6 and 9 of the General Data Protection Regulations 2018
 - Education Act 1996
 - Keeping Children Safe in education 2023
 - Regulation 5 of the Education (Information about individual pupils England) regulations 2013
- We need to use it to carry out a task in the public interest (in order to provide pupils with an education)

Sometimes we may also use your personal information where:

- Pupils, parent/carers have given permission to use it in a certain way
- We need to protect the individual's interests (or someone else's interest)
- Parental information is processed in the public interest where it is related to their child's education. We may have a legal obligation to process data in certain processing activities

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 1 of the following conditions for processing as set out in UK 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'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 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 UK 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.

In order to abide by the rules of the general Data Protection Regulation 20-18, we will inform you whether you are required by law to provide certain information to us, or if you have a choice in this. Please refer to our GDPR policy.

Parents/carers are the most significant source of information relating to pupils. Our obligation to maintain the accuracy of personal data can only be met with your help.

Please, as soon as possible, inform the school of any changes in address, telephone number, email address (if you have provided this) or other changes that affect either our ability to contact you or other family members you have designated as contacts or our ability to maintain our duty of care (e.g. medical conditions)

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 or tribunals

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) visit: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

6. How we store this data

We hold student educational records until the pupil leaves our school at which point we transfer the record to the next school the pupil attends (unless there are extraordinary circumstances). Some information may be retained for a longer period so that we comply with specific requirements of the legislation. Limited student or carer data used for complementary systems and services is removed when the pupil or parent/carer no longer requires or makes use of that service or at the point that the pupil leaves the school.

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.

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 routinely share pupils' information with the Department for Education wither directly or indirectly via our local authority for the purpose of data collection under:

Section 537A of the Education Act 1996. Section 537A of the Education Act 1996 requires schools to collect and provide any such individual pupil information as may be prescribed. This includes sharing of a set of named pupil records through the submission of termly school census returns to the local authority and DfE,

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 – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Schools that the pupil attend after leaving us
- Health Authorities
- The schools statistical management System (SIMS)
- The school online safeguarding management system (CPOMS)
- The school online payment system
- Government departments or agencies
- OFSTED
- Suppliers and service providers: e.g. Caterlink
- Financial organisations
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Police forces, courts, tribunals

National Pupil Database (NPD)

We are required to provide information about pupils to the Department for Education 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 Department for Education 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 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 for Education'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.

8. Your rights

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

Under data protection law, parents/carers and pupils (over the age of 12) can find out if we hold any personal information about you and how we use it. To make a subject access request for personal information, or be given access to your child's educational record, you will need to put your request in writing to the Head Teacher. Further details can be found in the School's Data Protection Policy. You may also ask us to send your personal information to another organisation electronically in certain circumstances.

Parents, or those with parental responsibility, 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.

Other information we collect and hold:

8.2 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:

- Object to processing of personal data that is likely to cause, or is causing, damage or distress
- Prevent your child's data being used to send direct marketing
- In certain circumstances, have inaccurate personal data corrected
- Object to decisions being taken by automated means

9. Other information we collect and hold

Parents and carers information (such as name, address, contact information, relationship to the child)

This is collected so that we can communicate with you about your child (in relation to things such as education and attainment, health and well-being, attendance and behaviour) as well as shared important information with you about the school. In addition, it will also

provide you with access to tools and services we use in school (such as parent payment systems, communication applications)

We communicate with parents/carers in a variety of ways. To know that it is Calton Primary and that we are a secure site, emails will only ever come from the office with the email address: admin@caltonprimary.co.uk

In addition, when we telephone you, we will never ask for personal details about your child or about you. We will be clear who we are and who is calling.

10. 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.

You can raise a concern or a complaint at any time by contacting the Head teacher in the first instance

11. 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:

Gloucestershire County Council,
Schools Data Protection Team
Information Management Service
Shire Hall
Westgate Street
Gloucester
T: 01452 583619 Email: schoolsdpo@gloucestershire.gov.uk