



# Privacy Notice for Parents and Pupils – How we use your information

## 2018/19

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### Who are we?

English Martyrs Catholic Primary School is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

English Martyrs Catholic Primary School is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: Z622490X

You can contact the school as the Data Controller in writing at: [admin3564@welearn365.com](mailto:admin3564@welearn365.com)

### 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 of genetic 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, home address and mode of transport as part of the data collection sheets.
- Contact details for parents, carers and other relatives, including telephone numbers, home addresses, e-mail addresses and their preferences.
- Characteristics such as ethnicity, religion, language, nationality, country of birth and free school meal eligibility.
- Admissions information held on the school's admission module (SAM) and application forms. As part of the Admission process Supplementary forms are returned to school which hold personal information.
- Baptismal certificates which are part of the admissions process and evidence of children being about to receive the Sacraments
- Attendance information such as sessions attended, number of absences and absence reasons.
- Planned absence request forms with reasons for absence at times with supporting evidence.
- Educational information including records of work, assessment results, relevant medical information, details of pupils' special educational needs, exclusions/behavioural

- information, previous school history, annual school reports.
- Special Education needs information (such as EHCP's, applications for support, care or support plans).
- Parent Consent forms for identified areas eg photographs, if a child's name and photograph can be put on the website
- Information about a child's home life, where required as part of necessary safeguarding and welfare processes. Any safeguarding documentation must be transferred to a school when a child transfers.
- Relevant medical information such as known allergies, dietary needs and conditions and contact details for GP.
- Risk assessments and PEEPs for children with medical needs whom the normal evacuation procedures and organisation of trips will need to reflect their specific needs or difficulties.
- Copies of letters/emails/communication from parents and at times minutes or notes of meetings.
- Record of pupil incidents mainly recorded on 'pink' forms and behaviour logs within school.
- A Record of pupils if they have breached the ICT user agreement with a record of what type of breach it was and actions the school took.
- Record of reported racial incidents.
- Safeguarding and Early Help information.
- Payment details will be collected in future to enable parents to pay electronically.
- Pupil and Parent questionnaires.

### **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 and medical care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils and pupil welfare purposes
- administer admissions waiting lists
- for research purposes
- to inform you about events and other things happening in the school
- to assess the quality of our services
- to comply with the law regarding data sharing
- to prepare children for the Sacraments

### **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 Regulation, 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 this process 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.

**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>
Special Education Needs Report	Children's and Families Act 2014, section 69		Warwickshire Local Authority	Legal Obligation
Attendance register	Education (Pupil Registration) (England) Regulations 2006, Regulation 4, 10. 11 and 12		OFSTED Warwickshire Local Authority	Legal Obligation
Common Transfer file	Education (Pupil Registration) (England) Regulations 2005, Regulation 6		Other school-when pupils transfers	Legal Obligation
Safeguarding Information	Education Act 202, section 175. Children's Act 1989, section 17,47, 83. Children's Act 2004, Section 11		Warwickshire Local Authority  Other school-when pupils transfers	Legal Obligation
Admissions Register	Education (Pupil Registration) (England) Regulations 2006, Regulation 4, 10. 11, 14 and 15		OFSTED Warwickshire Local Authority	Legal Obligation
Curricular record including assessment and achievement data	Education (Pupil Information) (England) Regulations 2005, Regulation 4		OFSTED Warwickshire Local Authority Other school-when pupils transfers	Legal Obligation
Educational Record	Education (Pupil Information) (England) Regulations 2005, Regulation 5 and 6		Parents Transferring schools	Legal Obligation
Pupil Information i.e name, age, address, Emergency contact details	Education (Information About Individual Pupils) (England) Regulations 2013, Regulation 3 and 5		Department of Education (DfE) – school census. Other school-when pupils transfers	Legal Obligation
Medical/Dietary/ allergies		Necessary for preventative or occupational medicine	Department of Education (DfE) – school census. Other school-	Legal Obligation

			when pupils transfers	
School Census	Education Act 1996, Sections 537 & 537A, and accompanying regulations.		Department of Education (DfE)	Legal Obligation
Court Orders		Necessary to ensure that welfare of the children are secure	Do not share with Third parties	Legal Obligation

## 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.

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

Information Type	Relevant legislation	Special Category– additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Medical Information		Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent	Medical staff i.e. paramedics/ ambulance	Vital Interest
Religious belief		Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent	Medical staff i.e. paramedics/ ambulance	Vital Interest

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

Whilst much of the personal information processed is in accordance with a legal requirement, 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.

**Table 3** - Personal information we are required to process with the consent of the individual to whom that information 'belongs'

Information Type	Relevant legislation	Special Category– additional lawful	Third Parties with whom we share the information	Lawful reason for sharing
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		reason		
Photographs			Government agencies, eg Department for Education, The Warwickshire Consortium Teaching School	Consent
Email address			Not shared	Consent
Photographs - in other children's books, for display purposes, printed publications, parish church, on the website, on LA sites, for a professional photographer to take photographs.			Other children's work Website – viewers are unrestricted Parish Warwickshire Local Authority School photographer – Mr Alec Malbon from Star Vision Photography (07795117472)	Consent
Recordings that are on the school website			Website – viewers are unrestricted	Consent
Pupils to have access to the internet and ICT systems in school. Pupil acceptable user agreement.			No third parties involved, if consent is not given by both child and parent the children are unable to use the laptops, Ipads and any other ICT resources.	Consent

#### 4) To perform 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 on this basis and who we may share that information is set out in Table 4.

**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	Relevant legislation	Special Category– additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Pupil Information i.e. name, age, address, Parent detail, Emergency contact details			Department of Education- school census. Other schools – when pupils transfer	Legal Obligation
Parent contact information eg Email and mobile phone numbers			Parents can receive newsletters and emails informing them about school activities and reminder of school events through the Schools Comm	Public Task

			which is held by the Local Authority SIMMS system Names and dates of birth – Cool Milk	
Academic Progress data including Leuven data, wellcom data. Learning journals, staff observations			OFSTED, Parents, Health such as Speech and Language	Public Task & Legal Obligation
Safeguarding information, Medical, Special Education Needs			Local Authority, Health, Parents	Legal Obligation
Educational and safeguarding Information used internally for the purpose of educating and protecting the welfare of children.				Legal Obligation
Curriculum resources from external companies which are utilised for homework and/or school based learning (names of pupils and year groups are held)			Pearson – Activelearn (Bug Club and Phonics Bug are used during curriculum time in school) Oxford University Press – My Maths (used for homework in years 5 and 6) A variety of other ICT resources eg PurpleMash which are organised via the WELEARN LA platform which is a secure platform and is heavily monitored and controlled. O Track – assessment and progress data Just 2 Easy	Public Task

### 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
- our local authority
- the Department for Education (DfE)

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 tables for information about what personal information is shared with which specific third parties.

- Our local authority
- The Department for Education (DfE)
- The pupils' family and representatives
- Educators and examining bodies
- Ofsted
- Suppliers and service providers – to enable them to provide the service we have contract them for
- School Photographer
- Central and local government
- Health and social welfare organisations
- Police forces, courts tribunals
- Professional bodies
- Schools that the pupil's attend after leaving us
- O Track – attainment and progress data
- WES (Warwickshire Education Service)

#### **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>.

#### **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 processes 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 your information for?**

In retaining personal information, the school complies with the Retention Schedules provided by the Information Record Management Society. The schedules 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>

#### **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

**\*\*Please ensure you specify which school your request relates to.**

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- 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 May 2018.