

Greenvale Primary School



PRIVACY NOTICE – USE OF PUPIL DATA

Policy Date	November 2023
Signed by Head Teacher	Mrs A Allnutt
Review Date	September 2024

Approved by Governing Body		
	G Zeuli	
Chair of Governors	Print Name	Date

Contents

1. Introduction	2
2. The personal data we collect, hold and share includes:.....	2
3. Why we use this data.....	3
4. Our lawful basis for using this data.....	3
5. Collecting this data	5
6. How we store this data	5
7. Who we share data with	5
8. Your rights	7
9. Complaints.....	8

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**.

We, Greenvale Primary School, Symons Avenue, Chatham, Kent ME4 5UP 01634 409521, are the 'data controller' for the purposes of UK data protection law.

Our data protection officer is Miss C Saunders.

2. The personal data we collect, hold and share includes:

Personal data that we may collect, use, store and share (when appropriate) about your child includes, but is not restricted to:

- Personal information such as name, pupil number, date of birth
- Contact details, contact preferences, identification document
- Pupil and curricular records such as performance and assessment information
- Behavioural information
- Suspension and exclusion information
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers

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
- Pupil premium eligibility
- Photographs and video
- CCTV images captured in school
- Information about 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, outside agencies, therapists and social services.

3. Why we use this data

We use the data listed above to:

- a. Support pupil learning
- b. Monitor and report on pupil progress
- c. Moderate teacher assessment judgements
- d. Provide appropriate pastoral care
- e. Safeguard children and young people and protect our pupil welfare
- f. Assess the quality of our services
- g. Support and Primary in year admissions
- h. Ensure children are not missing in education
- i. Comply with our legal and statutory obligations
- j. Marketing purposes

3.1 Use of your child's personal data for marketing purposes

Where you have given us consent to do so, we may send you and your child marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to them.

Where you have given us consent, we sometimes take photographs and videos of pupils and use these for:

- The school website
- Fundraising purposes (sharing images with charities who have donated to the school)
- On display boards around the school
- To record special events such as school plays
- For advertising the school
- To share with parents/carers to celebrate achievement

We ask for consent when the pupil starts school. You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by contacting the school office – office@greenvale.medway.sch.uk

3.2 Use of your child's personal data in automated decision making and profiling

We do not currently process any pupils' personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

4. Our lawful basis for using this data

For further information, please refer to the [ICO's guidance on the lawful basis for processing](#).

Our lawful bases for processing your child's personal data for the purposes listed in section 3 above are as follows:

- For the purposes of a, b, c, d, e, f, g, h and i, from section 3 above, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:
 - We are required to share information about our pupils with our LA and the DfE under section 3 of "[The Education \(Information About Individual Pupils\) \(England\) Regulations 2013](#)".
 - For more information about the department's data sharing process, please visit:
<https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>

- For the purposes of a, d, e and j, from section 3 above, in accordance with the 'consent' basis – we will obtain consent from you to use your child's personal data
- For the purposes of a, b, c, d, e, f, g, h and i, from section 3 above, in accordance with the 'public task' basis – we need to process data to fulfil our statutory function as a school as set out here:
 - To find out more about the data collection requirements placed on us by the DfE (for example, for the school census) go to:

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>
- For the purposes of e from section 3 above, in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation
- For the purposes of j from section 3 above, in accordance with the 'legitimate interests' basis – where there's a minimal privacy impact and we have a compelling reason, including:
 - Using photographs where consent has been obtained for marketing purposes

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.

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 and other schools
- Government departments or agencies
- Police forces, courts or tribunals
- Professionals for example; Educational Psychiatrist, Speech and Language specialist
- Health Authorities

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 data retention policy sets out how long we keep information about pupils. A copy of this policy can be obtained from the school office – office@greenvale.medway.sch.uk

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, Medway Council – to meet our legal obligations, consent and public task to share certain information with it, such as (but not limited to) safeguarding concerns, exclusions, admission requirements, free school meals, Education Psychiatrist
- Other local authorities and schools when transferring/receiving pupil data to meet our legal obligation and public task
- Government departments or agencies – DfE for statutory school funding and attainment monitoring, to meet our legal obligation and public task
- Local multi-agency forums who provide SEND advice and support pupils and families to meet our legal obligation and consent
- Partner organisations signed up to the Kent & Medway Information Sharing Agreement, where necessary, which may include police, social services, school nurses and mental health workers sharing safeguarding information, attendance and behavioural data to meet our legal obligation, public task and vital interests and consent
- Our regulators, Ofsted, to meet our legal obligation and public task by sharing pupil data
- Medway Council have to share information with external moderators (teachers with recent relevant experience) of end of key stage assessments to meet statutory requirements from the Standards & Testing Agency (STA) to meet our legal obligation and public task

➤ Suppliers and service providers:

- Juniper Education for data collection, the school website and parent portal to meet our public task, legal obligation and consent
- CDC (Catering contractor) meeting vital interest, public task, consent and legal obligation
- ParentMail – lunch and trip/event payments to meet our public task and consent
- Cantium – ICT Manager of our school management information system SIMS to meet our legal obligation and public task
- Evidence Me, Reading Eggs, Walk to School tracker providing pupil data to monitor and report on progress and meet our legal obligation public task
- CPOMS – cloud based recording facility to safeguard pupils meeting our legal obligation, vital interest and public task
- School photographer to meet consent

➤ Health authorities – Kent Immunisation Team, Snap Dragons to carry out health checks and relevant immunisations to meet our public task and consent

➤ Professional advisers and consultants such as Speech and Language specialists, Occupational Therapists, Educational Psychiatrists to meet consent

➤ Charities and voluntary organisations sharing photographs and/or videos for donations to the school to meet consent

➤ Police forces, courts, tribunals to meet our legal obligation, public task and vital interest and consent under safeguarding circumstances

National Pupil Database

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census and early years 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.

7.1 Transferring data internationally

We may share personal information about your child with the following international third parties, where different data protection legislation applies:

If a pupil moves abroad we may need to transfer some pupil data to their new school. The data will be transferred on the basis of an adequacy regulation (previously named 'adequacy decision') by the UK government, or if that is not met then advice will be taken from the ICO to determine how the data can be transferred securely.

Where we transfer your child's personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

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 at the school office – office@greenvale.medway.sch.uk

8.2 Your right to access your child's educational record

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.

To make a request, please contact Mrs A Allnutt, Headteacher via the school office – office@greenvale.medway.sch.uk

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:

- 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 via the school office – office@greenvale.medway.sch.uk

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

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

- Miss Claire Saunders – c.saunders@greenvale.medway.uk