



**Birch Hill Primary School
Privacy Notice
(How we use personal information)**

Privacy Notice for parents and carers

This privacy notice explains how we use information about your child and what we do with it. The information is called 'personal data' or 'personal information'.

Parents/carers are asked to read this notice when completing (or updating) the school's student registration form.

We, **Birch Hill Primary School**, are the Data Controller for the purposes of data protection law. This Privacy Notice explains how we collect, store and use personal information.

If you want to discuss, correct or update your personal information you should contact the school directly. You can leave a letter at reception or send one by post to;

Karen Lacey
Birch Hill Primary School
Leppington
Bracknell
Berks
RG12 7WW
(01344) 455815

Why do we collect and use personal information?

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services and how well our school is doing
- Statistical forecasting and planning
- to comply with the law regarding data sharing
- to deliver our Safeguarding functions
- support our responsibilities for the provision of health and well-being, including improving health and reducing inequalities
- fulfil any statutory responsibilities, legislative duties, duty of care or conditions of grants

The categories of personal information that we collect, hold and share include:

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and eligibility for free school meal and Pupil Premium Grant)
- Attendance information (such as sessions attended, number of absences and absence reasons) and exclusions
- Assessment information

- Modes of travel
- Relevant medical, Dietary, Special Educational Needs, Welfare and Behavioural Information

Our Legal Basis for Using this Data

The General Data Protection Regulation allows us to collect and use pupil information with consent of the data subject, where we are complying with a legal requirement, where processing is necessary to protect the vital interests of a data subject or another person and where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. When the personal information is Special Category Information we may rely on processing being in the substantial public interest in addition to consent of the data subject and the vital interests of the data subject or another.

Our requirement for this data and our legal basis for processing this data includes the Education Act 1996, 2002 and 2011, The Children's Act 1989 and 2004, Education and Skills Act 2008, Schools Standards and Framework Act 1998 and the Equalities Act 2010.

Collecting personal information

Whilst the majority of personal 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 personal information to us or if you have a choice in this. Where we are using your personal information only on the basis of your permission you may ask us to stop processing this personal information at any time.

Storing personal data

We hold pupil data in accordance with the Bracknell Forest Council Retention Schedule.

How long we keep your information

We only keep information for as long as we need to or for as long as the law requires us to. Most of the information we have will be in your child's student file. We usually keep these until their 25th birthday (or until their 35th birthday in the case where a child has a statement for educational needs) unless they move to another school in which case we send your child's student file to their new school. We have a policy which explains how long we keep information. It is called a Records Retention Policy.

Who do we share pupil information with?

- Schools that the pupil's attended before joining us and attend after leaving us
- Our Local Authority (including SEND)
- The Department for Education (DfE)
- NHS (CAMHs)
- School Nurse Team
- Counselling Service
- School Photographer
- Emergency Services
- Extended School Providers, Holiday club and Sports providers, Swimming School, Bikeability Providers
- Selected Curriculum Providers
- Exam Boards
- Residential Trip Providers

We will take family circumstances into account, in particular where a Court has decided what information a parent is allowed to have.

The information disclosed to these people / services may include sensitive personal information about your child. Usually this means information about your child's health and any special educational needs or disabilities which they may have. We do this because these people need the information so that they can support you.

Why we share pupil information

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

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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)

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.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:
<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

Requesting access to your personal data

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, or be given access to your child's educational record, contact a member of the GDPR Data Protection officer on Tel: 0800 0862018

Email: dpo@dataprotection.education

You also have the right, subject to some limitations 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/>

Contact:

If you would like to discuss anything in this privacy notice, please contact:

- The GDPR Data Protection Team on Tel: 0800 0862018
 Email: dpo@dataprotection.education

You can complain about what we do with your personal information. If you are not happy with our answer to your complaint then you can complain to the Information Commissioner's Office:

Information Commissioner's Office
 Wycliffe House

Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

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