



## **Pupil and Parent/Carer Privacy Notice**

Adopted by Governing Body: January 2020

Reviewed by Governing Body: 12.01.21

Updated due to COVID 19: 19.07.2020

Cycle of review: 1 year

Statutory Policy: Yes

Under data protection law, individuals have a right to be informed about how the 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, parents and carers.

We, Pitcheroak School, are the 'data controller' for the purposes of data protection law.

**Our School DPO Service are:**

Warwickshire Legal Services  
Warwickshire County Council  
Shire Hall  
Warwick  
CV34 4RL  
Direct 01926 412 859

**Our Chief Privacy Officer is:**

Sheila Holden  
Pitcheroak School  
Willow Way  
Redditch  
B97 6PQ  
+44 1527 65576

This notice is based on the Department for Education's model privacy notice. This has been amended to reflect the way we use data in Pitcheroak School.

This privacy notice should be read in conjunction with Worcestershire County Councils privacy notice available

[http://www.worcestershire.gov.uk/info/20569/how\\_we\\_use\\_your\\_information/1725/full\\_privacy\\_notice/19](http://www.worcestershire.gov.uk/info/20569/how_we_use_your_information/1725/full_privacy_notice/19)

**The personal data we hold**

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

- Contact details, contact preferences, date of birth, identification documents

- Results of internal assessments
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions and relative correspondence from professionals
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV footage
- Video footage

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

### **Why we use this data**

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

### **Our legal basis for using this data**

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time.

We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

### **Collecting this Information**

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us 'Pitcheroak School'.

Whenever we seek to collect information from you, we will clearly specify the legal basis for provide this information (and if so, what the possible consequences are of not complying), or whether you have no legal obligation to provide this information.

### **How we store this data**

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations.

We store data in accordance with our record retention schedule/records management policy.

### **Data Sharing**

We do not share information about pupils 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 data protection law) we may share personal information about pupils with:

- Worcestershire County Council – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- The pupil's family and representatives
- Educators and examining bodies
- Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

- Professional bodies
- 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 early years and school census.

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.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations 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. 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.

### **Parents and pupils' rights regarding personal data**

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

If you make a subject access request, and if we do hold information about you or your child, we will:

- 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 or your child
- 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 personal information to be transmitted electronically to another organisation in certain circumstances.

To make a request, please contact our Data Protection Officer, details of which are located at the beginning of this document.

Parents/carers also have a legal right to access to their child's educational record. To request access, please our Chief Privacy Officer, details of which are located at the beginning of this document.

### **Your rights regarding other data**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe.

You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your 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, deleted or destroyed, or restrict processing.
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer, details of which are located at the beginning of this document.

### **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.

To make a complaint, please contact our Data Protection Officer, details of which are located at the beginning of this document.

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

Information Commissioner's Office,

Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF

+44 303 123 1113

<https://ico.org.uk/concerns/>

### **COVID-19**

To assist with the school's engagement of the Test and Trace Scheme, we are requesting contact details from individuals in addition to the usual information required from our visitors. Should it become apparent that you may have come into contact with a person who has tested positive for COVID19, we may be requested to share your name and contact details with the NHS Test and Trace Scheme. We will only keep your telephone number/contact details for 21 days, at which point it will be deleted/securely disposed. For further details on how we process your information, please refer to our privacy notice on the school's website.

Further information on the Test and Trace Scheme can be found by visiting <https://www.gov.uk/guidance/nhs-test-and-trace-how-it-works>

The NHS Test and Trace Scheme will be a third-party receiver of data relating to contact details and the lawful basis for processing this personal information is a public task.

### **Contact Us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Chief Privacy Officer or the DPO Service, details of which are located at the beginning of this document.