

Pupil/Parent Privacy Notice

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Pupil/Parent Privacy Notice

Schools collect, store, process, share and dispose of lots of personal information relating to pupils and parents. This is known as 'personal data'. The purpose of this privacy notice is to let pupils and parents know how and why we are processing your personal data as you have rights around this, and the school have a legal obligation and are responsible for protecting your data.

Marland School is known as the 'Data Controller' for data protection legislation purposes and is registered with the Information Commissioner's Office (ICO) **Z6743860**

What type of personal data do we collect and process?

Your full name along with your date of birth, UPN (Unique Pupil Number), home address, school travel arrangements and contact details.

- Attendance information including sessions attended, absence information along with previous school information.
- Safeguarding information such as court orders, concerns about child protection or safety and any professional involvement ie, social care.
- Information relating to special educational needs.
- Behavioural information including exclusions and any alternative provision put in place.
- Relevant medical conditions the school need to be aware of such as doctors' information, child health, dental health, allergies, medication, and dietary requirements.
- Photographs.
- Educational performance and achievements.
- Information relating to extra-curricular activities.
- Any correspondence with you or complaints.

Sensitive Information

Sensitive information (special category information) is personal data that needs more protection because it is sensitive. This includes, but is not limited to:

- Free school meal eligibility, ethnicity (including language spoken and nationality), religion or beliefs.
Safeguarding information such as court orders, concerns about child protection or safety and any professional involvement ie, social care.
- Information relating to special educational needs.
- Relevant medical conditions the school need to be aware of such as doctors' information, child health, dental health, allergies, medication and dietary requirements.
- Information about local authority funding such as Pupil Premium.
- Biometric information ie, fingerprints for cashless catering.

Why do we need to collect and use your personal data?

The personal data we collect is essential and enables the school to fulfil their official functions and meet legal requirements.

We need this information to:

- assess the pupil's eligibility to attend our school and process their admission request.
- help us build a picture of their educational, social and health needs, so that we can support them and provide pastoral care where required.
- keep children safe and for safeguarding and welfare purposes.
- support pupil learning and to help them reach their educational goals.
- monitor and report on pupil progress, attainment, attendance, and behaviour.

- provide library, ICT and learning resources.
- communicate with our pupils regarding homework and other important school matters.
- comply with the law and fulfil our legal obligations.
- assist in the prevention or detection of crime.
- maintain pupil records.
- assess eligibility for funding, bursaries, and grants.
- respond to complaints, grievances, and discipline investigations.
- keep you informed about emergencies and events.
- process payments.
- assess the quality of our services.
- meet statutory duties placed upon us by the Department for Education.
- provide cashless catering services (this relates to the collection of student fingerprints).

Processing for marketing purposes

The school may send marketing information eg, details of fundraising activities when we have received consent to do so. Consent can be withdrawn at any time by contacting the school.

Automated decision making and profiling

The school does not use any of your personal data to make automated decisions about you or to profile you. If this changes in any way in the future, the school will update their privacy notices accordingly to explain the nature of the processing and your right to object to it.

Why do we share pupil information?

We do not regularly share our pupil data without consent unless legislation or our policies permit it.

Who do we share pupil information with?

We routinely share pupil information with:

- the school that the pupil attends after leaving us.
- our local authority.
- youth support services (for pupils aged 13 and over).
- the Department for Education (DfE).
- other local authorities if relevant.
- the school governing body.
- the Police.
- NHS/school nurse.
- external systems which the school decide to use to assist them with day-to-day activities to support the efficient running of the school.

International Transfers

Every effort is taken to try and use third party suppliers within the boundaries of the European Economic Area (EEA) to ensure the data protection rights of individuals. However, there may be occasions where the system supplied by an organisation is outside of the EEA for example the United States. Where personal data is transferred outside the UK or EEA to a country that is not designated as 'adequate' in relation to data protection law, we will ensure the personal data is adequately protected using International Data Transfer Agreements, appropriate security measures, and other appropriate safeguards.

4.2 Freedom of Information Act 2000 & Environmental Information Regulations 2004

Maintained schools are considered public authorities and as such, our school is subject to requests made

under the above legislation. When responding to these requests, we will never disclose personal information to these requests as to do so would disobey the principles of data protection.

Why we routinely share pupil information

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

Department for Education

We are required to share information about our pupils with the DfE, either directly or via our local authority for various statutory data collections.

Our duty to share this information comes under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013 To find out more about the data collection requirements placed on us by the DfE, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD). The NPD is owned and managed by the DfE. To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

The law allows the DfE to share pupils' data with certain third parties. For more information about the Department's NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the DfE has provided pupil information to, how the DfE collects and shares pupil data for research purposes, visit their website:

<https://www.gov.uk/government/publications/dfe-external-data-shares>

Children in need and looked after children information

We are required to share information with the DfE about our pupils who are 'children in need' or 'looked after', so the DfE can carry out their statutory duties regarding data collections. Our duty to share this information comes under regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the data collection requirements placed on us by the DfE go to:

Children in need: <https://www.gov.uk/guidance/children-in-need-census>

Children looked after: <https://www.gov.uk/guidance/children-looked-after-return>

Local authorities

We may be required to share information about our pupils with the local authority, to ensure they can carry out their statutory duties under the [Schools Admission Code](#), including conducting Fair Access Panels.

We may also be required to share child protection or safeguarding information with them, so we can carry out our statutory duties under section 11 of the Children's Act 2004 (duty to safeguard and promote the welfare of children) and to enable the local authority to carry out their duties under section 47 of the Children's Act 1989 (duty to investigate and take action to safeguard children).

Other schools

We are required to share a pupil's Common Transfer File and educational record with their next school when they leave us. We are also required to share a pupil's 'curricular record' with the pupil's intended school, upon request. We are required to share this data under The Education (Pupil Information) (England) Regulations 2005.

Educational psychologists and other professionals

We may share information about a pupil with educational psychologists, health workers (including the school nurse), social workers or other professionals, to ensure the pupil receives the appropriate health, wellbeing, and educational support they need. Sharing in these instances, will be carried out with the consent of the parent/carers and/or pupil, where required.

Standards and Testing Agency

We are required to share information about pupils in Early Years Foundation Stage, year 2 and in year 6 to the Standards and Testing Agency, so they can facilitate and report on our key stage 1 and key stage 2 national curriculum tests (commonly referred to as SATs). More information about SATs are available at: www.gov.uk/government/publications/key-stage-1-and-2-national-curriculum-tests-information-for-parents and here [Early years foundation stage profile return - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/publications/early-years-foundation-stage-profile-return)

Examination boards and moderators

We are required to share information about our pupils with examination boards and moderators, so they can enter our pupils into exams, make accessibility arrangements for them where required, mark their work, and issue their grades.

What is our legal basis for processing pupil and parent information?

When processing personal data about our pupils and/or parents, we rely on the following legal bases, which are set out in Article 6 of the UK GDPR:

- it is necessary for us to perform a task carried out in the public interest or in the exercise of our official duties
- it is necessary for us to comply with a specific legal obligation
- the data subject has given us their consent
- it is necessary to protect the vital interests of a person

When we process sensitive information (also known as special category data) about our pupils, we rely on one or more of the following legal bases as well, which are set out in Article 9 of the UK GDPR:

- the data subject has given us their explicit consent
- it is necessary for us to carry out our obligations and exercise our or the data subject's specific rights relating to employment, social security and social protection law
- processing is necessary to protect the vital interests of a person where the data subject is physically or legally incapable of giving consent
- processing is necessary for reasons of substantial public interest

Other legal bases listed in Article 9 of the UK GDPR may also apply, depending on the processing required.

How do we collect your personal data?

When a child joins our school, we collect pupil information using admission forms completed by the parent/carers. We also collect information using data collection forms (either manually or electronic), information produced from our day-to-day interactions with pupils and parents, information provided by previous schools, local authorities, NHS, Police, the Department for Education and by secure Common File Transfer (CTF).

Most of the information provided is mandatory, but some if it is requested on a voluntary basis. When we ask for your information, we will make it clear whether you are required to provide your information and your rights in relation to any request.

Where do we store your personal data & how long do we keep it for?

Where we store your information electronically, it is held securely on the school's IT network. Secure storage is provided for paper-based records.

We only keep your information for as long as we need it and no longer. Your information is held in line with our data retention schedule. More information on our data retention schedule is provided in our Records Retention Policy available on the school website.

How to access your personal information

Under data protection legislation, you have the right to request access to information about you which we may hold.

Your right of access

You have the right to ask us for copies of your personal data. There are some exemptions, which means you may not always receive all the information we process.

Your right to rectification

You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure

You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing

You have the right to ask us to restrict the processing of your information in certain circumstances.

Your right to object to processing

You have the right to object to us processing your information where we consider this is necessary for us to perform a task in the public interest. You can also object to us using your contact details to send you direct marketing or fundraising communications.

Your right to data portability

This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you. The right only applies if we are processing information based on your consent or under a contract (or in talks about entering into a contract) and the processing is automated.

Your right to complain

We work to high standards when it comes to processing your personal information. We hope you will always be happy with the way we handle your information, however if we have not met your expectations, please let us know so we can put things right. To do this, please email the school at admin@marland.devon.sch.uk. If you remain dissatisfied, you have the right to complain to the Information Commissioner's Office (ICO). The ICO's contact details are available at <https://ico.org.uk/concerns>

You are not required to pay a charge for exercising your rights and we have one month to respond to you. Please bear in mind that this may be difficult for us to achieve should you submit your request either just before or during a school holiday, however we will do our best to keep you informed about when you can expect us to respond to you.

If you are a parent/carer and want to request a copy of your child's educational record, this type of request will be handled under The Education (Pupil Information) (England) Regulations 2005. We will respond to these types of requests within 15 working days (i.e. days when the school is open).

Please email us at admin@marland.devon.sch.uk if you would like to make a request or complaint or contact the school office on 01805 601324.

Further information about your data protection rights, can be found on the Information Commissioner's Office website at www.ico.org.

If you have any queries about this privacy notice, or the way your personal information is being handled by the school, contact our Data Protection Officer Yvette Parkin, at y.parkin@marland.devon.sch.uk

Updates to this notice

We may need to update this privacy notice periodically and recommend that you revisit this information from time to time although the school will notify you of any major change ie, changes to data protection legislation or changes to the way in which we process your information.

| Version Produced | Reviewed by (name and job role): | Date: | Next review date: |
|-------------------------|---|--------------------------|--------------------------|
| V1.2 24 July 2023 | Yvette Parkin Strategic Finance & HR Manager/Data Protection Officer | 6 th Sept '24 | September '25 |