

PARKGATE JUNIOR SCHOOL

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Privacy Notice for Pupils Attending Parkgate Junior School

Who processes your information?

Parkgate Junior School is a Maintained Primary School. We collect data and information about our pupils so that we can run effectively as a school. This privacy notice explains how and why we collect pupil's data, how we use it and what rights parents and pupils have. Parkgate Junior School is the data controller of the personal information you provide us with. This means the school decides the purposes for which, and the manner in which, any personal data relating to our pupils and their families is processed. In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school outsources data to a third party processor, the same data protection standards that Parkgate Junior School upholds are imposed on the processor.

Our Data Protection Officer is Mr Zia Islam who is currently a School Governor. Mr Islam can be contacted via the school office, so if you need to contact him please let the office know and Mr Islam will contact you to discuss any issues.

Why do we collect and use your information?

The law relating to data protection is changing from 25th May 2018 and although many of the principles of the General Data Protection Regulation (GDPR) will remain the same as the Data Protection Act 1998 (DPA), there will be some important changes in the GDPR which will affect school as follows.

We collect and use pupil information under the following lawful bases:

- where we have the consent of the data subject (Article 6 (a));
- where it is necessary for compliance with a legal obligation (Article 6 (c));
- where processing is necessary to protect the vital interests of the data subject or another person (Article 6 (d));
- where it 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 (Article 6 (e)).

Where the personal data we collect about pupils is sensitive personal data, we will only process it where:

- we have explicit consent;
- processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and / or processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, where we respect the

essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject

Please see our Data Protection Policy for a definition of sensitive personal data.

We use the pupil data to support our statutory functions of running a school, in particular:

- to support pupil learning;
- to monitor and report on pupil progress
- to provide appropriate pastoral care;
- to assess the quality of our services;
- to comply with the law regarding data sharing;
- for the protection and welfare of pupils and other in the school;
- for the safe and orderly running of the school;
- to promote the school;
- to communicate with parents/carers.

The categories of pupil information that the school collects, holds and shares include the following:

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Contact information for parents, carers and emergency contact and communication with these people
- Assessment information (such as national curriculum assessment results)
- Relevant medical information
- Special Educational Needs
- Behavioural and Exclusion information
- Safeguarding Information

From time to time and in certain circumstances, we might also process personal data about parents / carers, some of which might be sensitive personal data, information about criminal proceedings / convictions or information about child protection / safeguarding. This information is not routinely collected about parents / carers and is only likely to be processed by the school in specific circumstances relating to particular pupils, for example, if a child protection issue arises or if a parent / carer is involved in a criminal matter. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

We collect information about parents / carers before pupils join the school and update it during pupils' time on the roll as and when new information is acquired.

Collecting Pupil Information

Whilst the majority of information about parents / carers provided 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 parent / carer information to us or if you have a choice in this. Where appropriate, we will ask parents / carers for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to

ask your permission to use your information for marketing purposes or to request voluntary contributions. Parents / carers may withdraw consent given in these circumstances at any time.

Storing pupil data

A significant amount of personal data is stored electronically, for example, on our database, SIMS. Some information may also be stored in hard copy format.

Who do we share pupil information with?

We routinely share parent / carer information with:

- schools that pupils attend after leaving us;
- our local authority Hertfordshire County Council
- a pupil's home local authority (if different)
- the Department for Education (DfE);
- school governors
- exam boards

From time to time, we may also share parent / carer information other third parties including the following:

- the Police and law enforcement agencies;
- NHS health professionals including the school nurse, educational psychologists,
- Education Welfare Officers;
- Courts, if ordered to do so;
- the National College for Teaching and Learning;
- Prevent teams in accordance with the Prevent Duty on schools;
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances;
- our HR providers, for example, if we are seeking HR advice and a pupil is involved in an issue;
- our legal advisors;
- our insurance providers / the Risk Protection Arrangement;
- School Health Services
- Children's Services

Some of the above organisations may also be Data Controllers in their own right in which case we will be jointly controllers of your personal data and may be jointly liable in the event of any data breaches.

In the event that we share personal data about pupils with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

Why we share pupil information

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

We share pupils' data with the 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 and the DfE under section 3 of The Education (information about individual pupils) (England) Regulation 2013.

Data Collection Requirements:

To find out more about the data collection requirement place on us by the DfE (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The school is required to share pupils' data with the DfE on a statutory basis.

The National Pupil Database (NPD) is managed by the DfE and contains information about pupils in schools in England. Parkgate Junior School is required by law to provide information about our pupils to the DfE as part of statutory data collections, such as the school census; some of this information is then stored in the NPD. The DfE may share information about our pupils from the NDP with third parties who promote the education or wellbeing of children in England by:

- Conducting research or analysis.
- Producing statistics.
- Providing information, advice or guidance.

The DfE has robust processes in place to ensure the confidentiality of any data shared from the NDP is maintained and there are stringent controls in place regarding access and use of 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.

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 ("Subject Access Request"). Where a child does not have the maturity to make their own requests for personal data, parents may do so on their behalf in a primary school setting. To make a request for your child's personal data, or be given access to your child's educational record, contact Mr Zia Islam our Data Protection Office, although any written request for personal data will be treated as a Subject Access Request.

Subject to the section below, the legal timescales for the School to respond to a Subject Access Request is one calendar month. As the School has limited staff resources outside of term time, we encourage parents / pupils to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. [For further information about how we handle Subject Access Requests, please see our Data Protection Policy].

Parents of pupils who attend a maintained school have a separate statutory right to access their child's educational record. Upon receipt of a written request for a pupil's educational record, the School will respond to it within 15 school days. This is an independent legal right of parents which falls outside of the GDPR; therefore a pupil's consent is not required even if a pupil is able to make their own decisions in relation to their personal data unless a court order is in place which states otherwise.]

The term “parent” is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the pupil, with whom the pupil lives or whether the pupil has contact with that parent), and also includes non-parents who have parental responsibility for the pupil, or with whom the pupil lives. It is therefore possible for a pupil to have several “parents” for the purposes of education law.

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 our data protection responsibilities.

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/>

If you have a concern about the way Parkgate Junior School and/or the DfE is collecting or using your personal data, you can raise a concern with the Information Commissioner’s Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.

Where can you find out more information?

If you would like to find out more information about how we and/or the DfE collect, use and store your personal data, please visit our website or download our GDPR Data Protection Policy.