Privacy Notice for Parents and Pupils – How we use your information 2022/23

Who are we?
Chetwynd Junior School is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Chetwynd Junior School is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: ZB018081

You can contact the Academy Trust as the Data Controller in writing at:
Chetwynd Junior School, Caroline Close, Nuneaton, CV11 4SE or admin2581@we-learn.com .

What is a Privacy Notice?
A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

What is Personal Information?
Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

What personal information do we process about pupils and parents?
The pupil and parent information that we collect, hold and share includes:

- Personal information including a pupil's name, date of birth, unique pupil number, home address
- Attendance information such as sessions attended, number of absences and absence reasons.
- Educational information including records of work, assessment results, relevant medical information, details of pupils' special educational needs, exclusions/behavioural information, post-16 learning information.
- Contact information for parents, carers and other relatives, including telephone numbers, home addresses and e-mail addresses.
- Information about a child's home life, where required as part of necessary safeguarding and welfare processes.
- 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
- Photographs and CCTV images captured in school
- Characteristics, such as ethnic background or special educational needs

Why do we use personal information?

We use pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- To protect pupil welfare
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils
- to share medical information with health professionals
- Administer admissions waiting lists
- Carry out research

Use of yours or your child's personal data for marketing purposes

Where you have given us consent to do so, we may send you or your child marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to them.
You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by contacting us (see 'Contact us' below).

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

We do not currently process any 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.

Collecting pupil information
Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the UK General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Most of the data we collect in relation to parents and pupils will come direct from the parent or pupil. However, we may also hold data relating to you and/or your child that has come from:

- Local authorities
- Government departments or agencies
- Police force, courts, tribunals
- External support services

What are the legal reasons for us to process your personal information?

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

1) To comply with the law

We collect and use general purpose pupil information in order to meet certain legal requirements and legal obligations placed upon the Academy Trust by law. We therefore are required to process personal information for such purposes even if you have not consented to us doing so.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the School in writing.

2) To protect someone's vital interests

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

3) With the consent of the individual to whom that information 'belongs'

Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

4) To perform a public task

It is a day-to-day function of the School to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that pupils are properly educated and supported

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

<u>Special category personal information</u>

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In additional to the lawful reasons above, we must also be satisfied that <u>ONE</u> of the following additional lawful reasons applies:

1) Explicit consent of the data subject
2) Processing relates to personal data which is manifestly made public by the data subject
3) Necessary for establishing, exercising or defending legal claims
4) Necessary for reasons of substantial public interest
5) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
6) Necessary for archiving, historical research or statistical purposes 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

Who might we share your information with?
We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- School nurses
- NHS
- Public Health and other public health agencies
- Information Management software: SIMS, Synergy, Wonde, Primarysite, CPOMS, School Cloud, ParentPay, Evolve, Survey Monkey
- Education/classroom apps: Times Tables Rockstars, Spelling Shed
- Conferencing software for homework and home learning: Microsoft Teams
- Catering Services: Educaterers
- HR and Payroll

We do not share information about our pupils or parents unless the law and our policies allow us to do so.

Please refer to the tables for information about what personal information is shared with which specific third parties.

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.

What do we do with your information?
All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected The School monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

We have security measures in place to prevent yours and your child's information from being accidentally lost, used, or accessed in an authorised way, altered, or disclosed.

How long do we keep your information for?
In retaining personal information, the school complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the school are required to retain the information.

A copy of those schedules can be located using the following link:
http://irms.org.uk/page/SchoolsToolkit

Transferring data internationally
Where we transfer personal data to a country outside of the UK, we will do so with the appropriate safeguards in place in accordance with data protection law.

What are your rights with respect of your personal information?

Under data protection law, 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 to have access to your child's educational record, contact the school data protection leads or the School Data Protection Officer at Warwickshire Legal Services via email at schooldpo@warwickshire.gov.uk or alternatively;

School Data Protection Officer
Warwickshire Legal Services
Warwickshire County Council
Shire Hall
Market Square
Warwick
CV34 4RL

****Please ensure you specify which school your request relates to.**

In certain circumstances where the school processes data for the purposes of legitimate interests or to fulfil their public task, individuals have a right to object to the processing where it is likely to cause, or is causing, harm or distress. When exercising this right, individuals should contact the school/academy trust to inform them of their reasons for their objection. The school/academy trust will consider the reasons for any objection and asses the risk to the individual against the purposes for the processing. In the event the school/academy trust is unable to comply with an objection, we will ensure we can demonstrate compelling legitimate grounds to continue with the processing.

Where the school processes your information with your consent, you have the right to withdraw your consent at any time. To exercise this right, please contact the school at admin2581@we-learn.com

You also have the right to:

- 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/

Review
The content of this Privacy Notice will be reviewed annually.

Date reviewed: November 2022
Date of next review: November 2023

Table 1 – Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Special Category – additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Special Education Needs and Disability Records	Children's and Families Act 2014, section 69, Education Regulations 2013		Local Authority, DfE, MASH, Child's new school	Legal Obligation
Attendance register	Education (Pupil Registration)(England) Regulations 2006, Regulation 4, 10, 11 and 12		OFSTED, Local Authority, MASH, DfE, ACE, Child's new school	Legal Obligation
Common Transfer file	Education (Pupil Registration)(England) Regulations 2005, Regulation 6		School pupil transfers	Legal Obligation
Safeguarding information	Education Act 2002, section 175 Children's Act 1989, Section 17, 47, 83. Children's Act 2004, Section 11		Local Authority, DfE, MASH, Child's new school	Legal Obligation
Admissions	Education (Pupil Registration) (England) Regulations 2006, Regulation 4, 10, 11, 14 and 15		OFSTED, Local Authority	Legal Obligation
Curricular Record including assessment and achievement data	Education (Pupil Information) (England) Regulations 2006, Regulation 4		OFSTED, Child's new School. Local Authority, DfE,	Legal Obligation
Educational Record	Education (Pupil Information) (England)Regulations 2005, Regulation 5 and 6		Parents, Child's new school	Legal Obligation
Pupil Information i.e name, age address, gender, UPN, Ethnicity, Emergency contact details	Education (Information About Individual Pupils) (England) Regulations 2013, Regulation 3 and 5 Education Act 1996, Sections 537 & 537A, and accompanying regulations		Department of Education – school census. Other schools – when pupils transfers, MASH, ACE	Legal Obligation
Medical / Dietary / allergies		Necessary for preventative or occupational medicine	Department of Education – school census, Educaterers schools – when pupils transfers	Legal Obligation
Exclusions	Education Act 2002		Local Authority, Child's new school	Legal Obligation

Child Looked After Status	Education Regulations 2013		DfE, Local Authority, MASH, Child's new school	Legal Obligation
Service Children Status	Education Regulations 2013		DfE, Local Authority, Child's new school	Legal Obligation
Court Order	Children Act 2004		MASH, Child's new school	Legal Obligation
FSM Eligibility	Education Regulations 2013		DfE, Local Authority, Child's new school	Legal Obligation

Table 2 – Personal information we are required to process as it is necessary to protect someone's vital interests

Information Type	**Special Category - additional lawful reason**	**Third Parties with whom we share the information**	**Lawful reason for sharing**
Medical Information	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent	Medical staff i.e. paramedics/ambulance/ school nurses	Vital Interest
Religious belief	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent	Medical staff i.e. paramedics/ambulance	Vital Interest
Pupil Dietary Needs	Health information	Educaterers, Supply teachers, Emergency Services	Vital Interest

Table 3 - Personal information we are required to process with the consent of the individual to whom that information 'belongs' - *please note that you have the right to withdraw your consent for us to process this information at any time.*

Information Type	**Special Category additional lawful reason**	**Third Parties with whom we share the information**	**Lawful reason for sharing**
Photographs and videos		School website, Twitter, Local Press, School Prospectus, internal use, Facebook	Consent
Pupil Information, including name, DoB, address, ethnicity, GP, medical information including allergies, Parents name, telephone number.		Warwickshire School Health & Wellbeing Service (provided by Compass), Sycamore Counselling Service, Counselling Services	Consent
Photographs and videos		School website, Twitter, Local Press, School Prospectus, internal use, Facebook	Consent
Pupil Information, including name, DoB, address, ethnicity, GP, medical information including allergies, Parents name, telephone number.			Consent

Table 4 - Personal information we are required to process because it is necessary to do so in order to perform a public task – please note that the right to object will apply to ***some*** of this processing, please see the section above that refers to '*What are your rights with respect of your personal information?*'

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Pupil Information i.e name, age, gender		Educaterers, Primarysite, WeLearn (ICTDS), Supply Teachers, Times Tables Rockstars, Spelling Shed, CPOMS, Evolve, ParentPay	Public Task
Pupil Information i.e name, age, gender, Ethnicity		CPOMS	Public Task
Pupil Information including SEN/Medical/ allergies/ dietary		Education visits companies for specific pupils only Educaterers	Public Task
Name, DOB, gender, FSM, Pupil Premium Eligibility, academic progress		Educaterers (Name and FSM)	Public Task
Pupil name, address, DOB, gender, Year and class, Parents name, email, phone number		Primarysite, CPOMS	Public Task
Pupil name		Educaterers, Primarysite, WeLearn (ICTDS), Supply Teachers, Times Tables Rockstars, Spelling Shed, CPOMS, Evolve, ParentPay	Public Task