

# Giffards Primary School

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## ‘Valuing Everyone As Learners’

### Giffards Primary School Privacy Notice for Parents/Carers

Giffards Primary School collects data and information about parents / carers of our pupils so that we can operate effectively as a school. This privacy notice explains how and why we collect parent/carer data, what we do with it and what rights parents have.

Giffards Primary School is a charitable company limited by guarantee (registration number 08920008) whose registered office is Giffards Primary School Queen Elizabeth Drive Corringham Essex SS17 7TG. The school is the Data Controller.

The Data Protection Officer for the school is Mr Richard Betts, who can be contacted via email [dataprotection@giffardsprimary.thurrock.sch.uk](mailto:dataprotection@giffardsprimary.thurrock.sch.uk)

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. This privacy notice also covers other members of pupils’ families who we may process data about from time to time, including, for example, siblings, aunts and uncles and grandparents.

#### Why do we collect and use parent / carer information?

We collect and use parent / carer 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 parents / carers 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.

We use the parent/carer data to support our functions of running a school, in particular:

- to decide who to admit to the school;

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- b. to maintain a waiting list;
- c. to support pupil learning;
- d. to monitor and report on pupil progress;
- e. to provide appropriate pastoral care;
- f. to assess the quality of our services;
- g. to comply with the law regarding data sharing;
- h. for the protection and welfare of pupils and others in the school including our safeguarding/child protection obligations;
- i. to promote the school;
- j. to send you communications that may be of interest to you which may include information about school events or activities, news, campaigns, appeals, other fundraising activities;
- k. in order to respond to investigations from our regulators or to respond to complaints raised by our stakeholders;
- l. in connection with any legal proceedings threatened or commenced against the school.

The categories of parent / carer information that we collect, hold and share include:

- a. Personal information (such as name, address, telephone number and email address);
- b. Information relating to your identity, marital status, employment status, religion, ethnicity, language, medical conditions, nationality, country of birth and free school meal / pupil premium eligibility / entitlement to certain benefits, information about court orders in place affecting parenting arrangements for pupils);

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 parent / carer 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.

In addition, our school uses CCTV cameras around the site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or to investigate other issues. CCTV footage involving parents / carers will only be processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.

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## Storing parent/carer 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.

Data stored electronically may be saved on a cloud based system which may be hosted in a different country.

Appropriate steps will be taken to keep the data secure.

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, insurance or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Data Retention Policy which is available from our website. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a parent/carer of a child at the school we will retain and securely destroy your personal information in accordance with our Data Retention Policy or applicable laws and regulations.

## Who do we share parent / carer information with?

We routinely share parent/carer information with:

- schools that pupils attend after leaving us;

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

- the local authority;
- a pupil's home local authority (if different);
- the Department for Education (DfE);
- the Police and law enforcement agencies;
- NHS health professionals including the school nurse, educational psychologists, Education Welfare Officers;
- Courts, if ordered to do so;
- 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;
- UCAS;
- our legal advisors;
- our insurance providers.

Some of the organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.

In the event that we share personal data about parents/carers 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.

### Requesting access to your personal data

Under data protection legislation, parents/carers have the right to request access to information about you that we hold (“Subject Access Request”). To make a request for your personal data, please contact the Academy data expert, although any written request for personal data will be treated as a Subject Access Request.

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/carers 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.

### No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

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..

### Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### Data protection officer

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal

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information, please contact the DPO Mr Richard Betts via [dataprotection@giffardsprimary.thurrock.sch.uk](mailto:dataprotection@giffardsprimary.thurrock.sch.uk) You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

### Changes to this privacy notice

The last update to this privacy notice was in May 2020, we reserve the right to update it at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions or queries please don't hesitate to contact either school Data Protection Lead, Sue Bryant on [admin@giffardsprimary.thurrock.sch.uk](mailto:admin@giffardsprimary.thurrock.sch.uk) , or our DPO Mr Richard Betts on [dataprotection@giffardsprimary.thurrock.sch.uk](mailto:dataprotection@giffardsprimary.thurrock.sch.uk)

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## Giffards Primary School Privacy Notice for Pupils and their Parents/Carers

Giffards Primary School collects a lot of data and information about our pupils so that we can run effectively as a school. This privacy notice explains how and why we collect pupils' data, what we do with it and what rights parents and pupils have.

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The Data Protection Officer for the school is Mr Richard Betts, who can be contacted via email [dataprotection@giffardsprimary.thurrock.sch.uk](mailto:dataprotection@giffardsprimary.thurrock.sch.uk)

### **Why do we collect and use pupil information?**

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

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

- a. we have explicit consent;
- b. 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
- c. 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, 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.

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

- a. to decide who to admit to the school;
- b. to maintain a waiting list;
- c. to support pupil learning;
- d. to monitor and report on pupil progress;
- e. to provide appropriate pastoral care;
- f. to assess the quality of our services;
- g. to comply with the law regarding data sharing;
- h. for the protection and welfare of pupils and others in the school;
- i. for the safe and orderly running of the school;
- j. to promote the school;
- k. to communicate with parents/carers;
- a. in order to respond to investigations from our regulators or to respond to complaints raised by our stakeholders;
- l. in connection with any legal proceedings threatened or commenced against the school.

### **The categories of pupil information that we collect, hold and share include:**

- a. Personal information (such as name, unique pupil number and address)
- b. Characteristics (such as ethnicity, language, medical conditions, nationality, country of birth and free school meal eligibility)
- c. Attendance information (such as sessions attended, number of absences and absence reasons)
- d. Information around pupil attainment and progress for assessment
- e. Behaviour records, including exclusions (if relevant)
- f. Information about special needs (if relevant)
- g. Information around attendance on school trips/swimming
- h. Photographs

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From time to time and in certain circumstances, we might also process personal data about pupils, some of which might be sensitive personal data, including information about criminal proceedings/convictions, child protection/safeguarding. This information is not routinely collected about pupils 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 pupil 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 pupils when they join the school and update it during their time on roll as and when new information is acquired.

### **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 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. Where appropriate, we will ask parents/pupils for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to use photos or images of pupils on our website or on social media to promote school activities, or if we want to ask your permission to use your information for marketing purposes. Parents/pupils may withdraw consent at any time.

In addition, our school uses CCTV cameras around the site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or to investigate other issues. CCTV footage involving pupils will only be processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.

### **Storing pupil data**

Pupil data will be held in line with the school's Data Retention Policy.

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.

Data stored electronically may be saved on a cloud based system which may be hosted in a different country. Appropriate steps will be taken to keep the data secure.

### **Who do we share pupil information with?**

We routinely share pupil information with:

- Parents/carers (as defined in the Education Act 1996)
- schools that pupils attend after leaving us
- our local authority
- a pupil's home local authority (if different)
- the Department for Education (DfE)
- school academy trustees.

From time to time, we may also share pupil 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
- 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

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- UCAS
- our legal advisors
- our insurance providers.

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 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 the (DfE) under regulation 5 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://find-npd-data.education.gov.uk/>

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 DfE 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 child's personal data

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Under data protection legislation, parents and pupils have the right to request access to information about them that we hold (“Subject Access Request”). When a child does not have the maturity to make their own requests for personal data, classed as when they are under 13 years old, parents may do so on their behalf. To make a request for your child’s personal data, or be given access to your child’s educational record, please contact the DPO or the school Data Protection Lead, Sue Bryant on [admin@giffardsprimary.thurrock.sch.uk](mailto:admin@giffardsprimary.thurrock.sch.uk), 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.

Parents of pupils who attend academies have a separate statutory right to receive an annual written report setting out their child’s attainment for the main subject areas which are taught.

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;
- claim compensation for damages caused by a breach of the 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>

### Contact:

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

- Richard Betts on [dataprotection@giffardsprimary.thurrock.sch.uk](mailto:dataprotection@giffardsprimary.thurrock.sch.uk)

### Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated in May 2021.

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