



## **Lowther Primary School - Privacy Notice Policy**

This privacy policy was last updated in July 2020

The next review of this policy is due in July 2025

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This policy is to inform you how Lowther Primary School ('the School', 'we', 'us' or 'our') will collect, use and process personal data. It is also designed to let you know your rights and what you can do if you have questions about personal data.

The School is the controller for the purposes of data protection laws.

This document sets out the types of personal data (meaning information about an individual from which that individual can be personally identified) we handle, the purposes of handling those personal data and any recipients of it.

### **1 OUR DETAILS**

We are: Lowther Primary School

Address: Stillingfleet Road, Barnes, London, SW13 9AE

Information Commissioner's Office Registration Number: Z5576252

Our Chief Privacy Officer is Miss B Richardson (first point of contact) and her contact details are: Lowther Primary School, Stillingfleet Road, Barnes, London, SW13 9AE Tel :020 8748 3984

### **2 WHY WE COLLECT DATA**

We collect and hold personal information relating to our pupils, parents, employees, governors, volunteers and others. We may also receive information about pupils from their previous schools, the Local Authority, Department for Education (DfE) and other bodies linked to pupils' education, development and welfare. We may also receive information about employees from their previous employers.

We may share personal data with other agencies as necessary under our legal duties or otherwise in accordance with our duties/obligations as a school.

Whilst the majority of personal data we are provided with or collect is mandatory, some of it is provided to us on a voluntary basis. We will inform you whether you are required to provide certain pupil information to us, or if you have a choice in this.

Below are the reasons why we collect and process personal data, as well as the legal basis on which we carry out this processing:

- **to support our pupils' learning:** we will process personal data to help every child achieve his or her potential in all areas of learning and to promote excellence in our teaching and learning environment
- **to monitor and report on pupils' progress:** we will process personal data to record pupils' progress, to help to set and monitor targets, and to promote the achievements and aspirations of all pupils
- **to provide appropriate pastoral care:** we will process personal data to ensure that all pupils are properly supported during their time with us. We will process data to help staff to understand and respond to the unique circumstances of all pupils.
- **to assess the quality of our services:** we will process personal data so that we may reflect on our own practices, to help us to improve and provide the highest quality education for all pupils.
- **to ensure proper management of school trips and after-school clubs and activities:** when pupils and parents participate in school trips and after-school clubs and activities personal data will need to be processed.
- **to promote and protect health and safety:** in order to protect pupils, parents and staff at the school, we must process personal data relating to matters such as incidents and responses to incidents.
- **to enable individuals, external and third parties to be paid:** to assist in the running of the school and to enable individuals to be paid, we will process personal data of those employed to teach (or otherwise engaged to work) at the school.
- **to assist with the continuing development of our recruitment and retention policies and practices:** to enable us to improve our recruitment and retention policies and practices, we will process personal data of those currently employed by the school.
- **to develop our understanding of our workforce and how employees are deployed:** to help us create a fully informed, comprehensive picture of the make-up of our workforce and how each employee is deployed as a member of our workforce, we will process personal data of those employed to teach (or otherwise engaged to work) at the school.

### 3 LEGAL BASIS FOR PROCESSING

The lawful basis for us to collect/process this personal data is in order to provide education in accordance with statute law (such as the Education Act 1996 and other legislation), our funding agreements with the Secretary of State, our memorandum and articles of association and other guidance provided for in law.

An additional lawful basis for us to collect/process employees' personal data is by reason of necessity for the performance of a contract of employment to which the data subject is party, or in order to take steps at the request of the data subject prior to entering into a contract.

In addition, personal data will be collected and/or processed for the purposes of relevant contracts for the provision of services. This may include but is not limited to:

- the provision of music tuition /after school clubs
- school trips;
- entering students for examinations.
- volunteers (including Governors, PTA)

We do not process any special categories of personal data except where necessary for reasons of substantial public interest in complying with legal obligations including under the Equality Act 2010, or where necessary to protect the vital interests of the data subject or of another natural person and where safeguards are in place to ensure that this personal data is kept secure. For the avoidance of doubt where special categories of personal data are collected, they shall not be used for the purposes of automated decision making and/or profiling.

Special categories of data means personal data revealing:

- *racial or ethnic origin;*
- *political opinions; religious or philosophical beliefs or trade union membership;*
- *genetic or biometric data which uniquely identify you;*
- *data concerning your health, sex life or sexual orientation*
- *data relating to criminal convictions or offences or related security measures*

Further personal data including special categories of personal data may be collected and/or processed where consent has been given (for example, school photographs for non-educational purposes). If consent has been given then this may be revoked, in which case the personal data will no longer be collected/processed.

#### **4 CATEGORIES OF INFORMATION WE COLLECT**

We may collect the following types of personal data (please note this list does not include every type of personal data and may be updated from time to time):

- contact details
- identification information
- date of birth
- national insurance number
- evidence of right to work
- health and/or other medical information
- information in connection with education (included but not limited to unique pupil numbers, test results and other records)
- attendance information

- behavioural and disciplinary information
- free school meal eligibility
- information received in connection with any complaint
- personal characteristics, such as:
  - nationality and ethnic group
  - religion
  - first language
  - special educational needs
  - relevant protected characteristics
- employees' qualifications and contractual information, such as:
  - employee position and/or role
  - salary
  - employment start date
  - remuneration details

## 5 **WHO WILL HAVE ACCESS TO YOUR DATA**

PERSONAL DATA WILL BE ACCESSIBLE BY MEMBERS OF STAFF. WHERE NECESSARY, GOVERNORS WILL ALSO HAVE ACCESS TO PERSONAL DATA

We will not share information about our pupils with third parties without consent, unless we are required to do so by law or by our policies. We will disclose personal data to third parties:

- if we are under a duty to disclose or share personal data in order to comply with any legal obligation; for example:
  - as a maintained school, we are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments
  - we share pupils' personal data with the Department for Education (DfE) in relation to school funding/expenditure and the assessment of educational attainment (please see Section 7)
- in order to enforce any agreements with you
- in order to perform contracts with third party suppliers for purposes listed in Section 2
- to protect the rights, property or safety of the school, other pupils or others. This includes exchanging information with other organisations for the purposes of child welfare

This may include our Local Authority, the DfE (please see Section 5), the Police and other organisations where necessary; for example, for the purposes of organising a school trip or otherwise enabling students to access services or for the purposes of examination entry. Information may also be sent to other schools where necessary; for example, the schools which pupils attend after leaving us.

Certain data collection obligations are placed on us by the DfE. To find out more about the data collection requirements placed on us by the DfE (for example; via the school census) visit: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The above third party suppliers will process data on our behalf. Therefore we investigate these third party suppliers to seek assurance of their compliance with relevant data protection laws, and specify their obligations in written contracts.

## **6 PUPIL DATA – THE NATIONAL PUPIL DATABASE**

The NPD is owned and managed by the DfE 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 DfE. 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 which allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The DfE 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 that the confidentiality of our data is maintained, and there are stringent controls in place regarding access and use of the data. Decisions on whether the 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
- 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 organisations to which the DfE 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 the DfE please visit: <https://www.gov.uk/contact-dfe>

## 7 EMPLOYEE DATA – DFE DATA COLLECTION REQUIREMENTS

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities working in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission, because it is a statutory return under sections 113 and 114 of the Education Act 2005.

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The DfE may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The DfE has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether the DfE releases personal 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
- the arrangements in place to securely store and handle the data

To be granted access to school employee data, organisations must comply with the DfE's 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 DfE's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To contact the DfE: <https://www.gov.uk/contact-dfe>

## **8 HOW DATA WILL BE PROCESSED**

Personal data may be processed in a variety of ways. This will include but is not limited to:

- maintaining written records for educational or employment purposes
- medical or allergy information displays
- identification
- sending by e-mail
- adding to spreadsheets, word documents or similar for the purposes of assessing personal data
- for educational software use (this could be for the purposes of helping children learn, discipline, reports and other educational purposes)

## **9 WHERE WE STORE DATA AND HOW WE KEEP DATA SECURE**

Paper copies of personal data are kept securely at the school; for example, in secure filing cabinets.

Electronic copies of personal data are kept securely and information will be processed only where we are satisfied that it is reasonably secure.

All information you provide to us is stored on secure servers. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our website, you are responsible for keeping this password confidential. You must not share your password with anyone.

When giving personal data to third parties (for example, software providers) it is possible that this personal data could be stored in a location outside of the European Economic Area. We will take all steps reasonably necessary to ensure that your personal data is treated securely and in accordance with this privacy policy. In particular, any transfer of your personal data made by us to a location outside of the EEA will be governed by clauses in a written contract in order to keep these secure.

## **10 RETENTION PERIODS**

We will only retain personal data for as long as is necessary to achieve the purposes for which they were originally collected. As a general rule, personal data will be kept for the entire period that a child is a pupil at the school, or an employee is employed at the school. Other records (for example, safeguarding or in relation to special educational needs) will be kept for longer in accordance with relevant guidance from the Local Authority/Information and Records Management Society and other authorities. Further information on retention periods can be obtained by contacting us via the details in Section 1 of this Notice.

## 11 YOUR DATA RIGHTS

The General Data Protection Regulation and associated law gives you rights in relation to personal data held about you and your child. These are:

- **Right of Access:** if your personal data is held by the School, you are entitled to access your personal data (unless an exception applies) by submitting a written request. We will aim respond to that request within one month. If responding to your request will take longer than a month, or we consider that an exception applies, then we will let you know. You are entitled to access the personal data described in Section 12.
- **Right of Rectification:** you have the right to require us to rectify any inaccurate personal data we hold about you. You also have the right to have incomplete personal data we hold about you completed. If you have any concerns about the accuracy of personal data that we hold then please contact us.
- **Right to Restriction:** you have the right to restrict the manner in which we can process personal data where:
  - the accuracy of the personal data is being contested by you
  - the processing of your personal data is unlawful, but you do not want the relevant personal data to be erased
  - we no longer need to process your personal data for the agreed purposes, but you want to preserve your personal data for the establishment, exercise or defence of legal claims

Where any exercise by you of your right to restriction determines that our processing of particular personal data is to be restricted, we will then process the relevant personal data only in accordance with your consent and in addition for storage purposes and for the purpose of legal claims

- **Right to Erasure:** you have the right to require we erase your personal data which we are processing where one of the following grounds applies:
  - the processing is no longer necessary in relation to the purposes for which your personal data were collected or otherwise processed
  - our processing of your personal data is based on your consent, you have subsequently withdrawn that consent and there is no other legal ground we can use to process your personal data
  - the personal data have been unlawfully processed
  - the erasure is required for compliance with a law to which we are subject
- **Right to Data Portability:** you have the right to receive your personal data in a format that can be transferred. We will normally supply personal data in the form of e-mails or other mainstream software files. If you want to receive your personal data which you have provided to us in a structured, commonly used and machine-readable format, please contact us via the details in Section 1 of this Notice.



You can find out more about the way these rights work from the website of the Information Commissioner's Office (ICO) <https://ico.org.uk/>

## 12 **REQUESTING YOUR DATA**

Where the School holds personal data concerning you, you are entitled to access that personal data and the following information (unless an exception applies):

- a copy of the personal data we hold concerning you, provided by the School
- details of why we hold that personal data
- details of the categories of that personal data
- details of the envisaged period for which that personal data will be stored, if possible
- information as to the source of personal data where that personal data was not collected from you personally

If you want to receive a copy of the information about your son/daughter that we hold, please contact us via the details in Section 1 of this Notice.

## 13 **MAKING A COMPLAINT**

If you are unhappy with the way we have dealt with any of your concerns, you can make a complaint to the ICO, the supervisory authority for data protection issues in England and Wales. We would recommend that you complain to us in the first instance, but if you wish to contact the ICO on the details you can do so using the contact details below. The ICO is a wholly independent regulator established in order to enforce data protection law.

ICO Concerns website: [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns)

ICO Helpline: 0303 123 1113

ICO Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

ICO Postal Address: Information Commissioner's Office  
Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

## 14 **CHANGES TO THIS NOTICE**

Any changes we make to this notice in the future will be posted on our website and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes.