

# Coates Way School



## Data Protection and Privacy Notice

*If printed, copied or otherwise transferred from this website this document must be considered to be an uncontrolled copy.*

*Policy amendments may occur at any time and you should consult the Policies page on the website for the latest update.*

## **General Data Protection Regulation – Parent/Carer Information**

We are required by law to hold personal information about your child on our computer system and in paper records to help us with their educational needs. The Head Teacher is responsible for their accuracy and safe-keeping. Please help to keep your child's records up to date by informing us of any change of circumstances.

School staff have appropriate access to some of your child's records to enable them to fulfil their duties. From time to time information may be shared with external agencies involved in your child's care, if it is necessary. Anyone with access to your child's records has received training in confidentiality and is governed by a legal duty to keep their details secure, accurate and up to date.

All information about your child is held securely and appropriate safeguards are in place to prevent accidental loss.

In some circumstances we may be required by law to release your child's details to statutory or other official bodies, for example if a court order is presented, or in the case of public educational issues. In other circumstances you may be required to give written consent before information is released – such as the educational reports for insurance, solicitors etc.

To ensure your child's privacy, we will not disclose information over the telephone unless we are sure that sufficient measures have been taken to properly identify the caller - the parent/carers. Information will not be disclosed to family and friends unless we have prior written consent and we do not leave messages with others.

Parents/carers have a right to see their child's records, if requested, in an agreed format. Please ask at the school office if you would like further details. An appointment will be required. There may be a charge where the request is deemed excessive.

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## **Privacy Notice - Children, Parents and Carers**

Coates Way Primary School is committed to protecting the privacy and security of personal information. This privacy notice describes how we collect and use personal information about pupils, in accordance with the General Data Protection Regulation (GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

### **Who Collects This Information**

Coates Way Primary School is a "data controller." This means that we are responsible for deciding how we hold and use personal information about pupils.

### **The Categories of Pupil Information That We Collect, Process, Hold and Share**

We may collect, store and use the following categories of personal information about you: -

- Personal information such as name, pupil number, date of birth, gender and contact information;

- Emergency contact and family lifestyle information such as names, relationship, phone numbers and email addresses;
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility);
- Attendance details (such as sessions attended, number of absences and reasons for absence);
- Performance and assessment information;
- Behavioural information (including exclusions);
- Special educational needs information;
- Relevant medical information;
- Special categories of personal data (including ethnicity, relevant medical information, special educational needs information)
- Images of pupils engaging in school activities, and images captured by the School's CCTV system;
- Information about the use of our IT, communications and other systems, and other monitoring information.

### **Collecting This Information**

Whilst the majority of 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.

It is important that the personal information we hold about you is accurate and current. It is the parents/carers duty to ensure that all personal information we hold about you and your child is accurate and up to date at all times.

### **How We Use Your Personal Information**

We hold pupil data and use it for: -

- Pupil selection (and to confirm the identity of prospective pupils and their parents);
- Providing education services and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- Informing decisions such as the funding of schools;
- Assessing performance and to set targets for schools;
- Safeguarding pupils' welfare and providing appropriate pastoral (and where necessary medical) care;
- Support teaching and learning;
- Giving and receiving information and references about past, current and prospective pupils, and to provide references to potential employers of past pupils;
- Managing internal policy and procedure;
- Enabling pupils to take part in assessments, to publish the results of examinations and to record pupil achievements;
- To carry out statistical analysis for diversity purposes;
- Legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care;
- Enabling relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;

- Monitoring use of the school's IT and communications systems in accordance with the school's IT security policy;
- Making use of photographic images of pupils in school publications, on the school website and on social media channels;
- Security purposes, including CCTV; and
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

### **The Lawful Basis on Which We Use This Information**

We will only use your information when the law allows us to. Most commonly, we will use your information in the following circumstances: -

- Consent: the individual has given clear consent to process their personal data for a specific purpose;
- Contract: the processing is necessary for a contract with the individual;
- Legal obligation: the processing is necessary to comply with the law (not including contractual obligations);
- Vital interests: the processing is necessary to protect someone's life.
- Public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law; and
- The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We need all the categories of information in the list above primarily to allow us to comply with legal obligations. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

### **Sharing Data**

We may need to share your data with third parties where it is necessary. There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it's the only way we can make sure you stay safe and healthy or we are legally required to do so.

We share pupil information with: -

- Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013;
- Ofsted;
- Other schools that pupils have attended/will attend;
- NHS;
- Welfare services (such as Children's Services);
- Law enforcement officials such as police, HMRC;
- Hertfordshire County Council Designated Safeguarding Officer;
- Professional advisors such as lawyers and consultants;
- Support services (including insurance, IT support, information security);
- Hertfordshire County Council;
- Schoolgateway;
- (COVID-19 FSM national voucher scheme) Edenred UK.

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations, we require them to respect the security of your data and to treat it in accordance with the law

### **Why We Share This Information**

We do not share information about our pupils with anyone without consent unless otherwise required by law.

For example, we share student's data with the DfE on a statutory basis which underpins school funding and educational attainment. To find out more about the data collection requirements placed on us by the DfE please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

### **Storing Pupil Data**

The School keeps information about pupils on computer systems and sometimes on paper. Except as required by law, we will dispose of your, or your child's, personal data securely when we no longer need it in compliance with ICO guidance.

### **Automated Decision Making**

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision making in limited circumstances.

Pupils will not be subject to automated decision-making, unless we have a lawful basis for doing so and we have notified you.

### **Security**

We have measures in place to protect the security of your information (i.e. against it being accidentally lost, used or accessed in an unauthorised way).

### **The National Pupil Database**

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 NPD go to:

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

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 Department 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 Personal Data**

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, contact the Head Teacher.

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 purposes of direct marketing;
- Object to decisions being taken by automated means;
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed with the guidelines recommended by the ICO; and
- Claim compensation for damages caused by a breach of the data protection regulations.

If you want to exercise any of the above rights, please contact the Office Manager in writing. 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.

### **Right to Withdraw Consent**

In 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 Office Manager. 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.

## **Contact**

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, we request that you raise your concern with the Office Manager in the first instance.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by the Office Manager, then you can contact the DPO on the details below: -

Data Protection Officer Details: Campbell Wilson

Data Protection Officer Email: [admin@coatesway.herts.sch.uk](mailto:admin@coatesway.herts.sch.uk)

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns>.

## **Changes to This Privacy Notice**

We reserve the right to update this privacy notice 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.

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## **Privacy Notice Addendum for Collection of Medical Data during Coronavirus**

- The law on protecting personally identifiable information, known as the General Data Protection Regulation (GDPR), allows us to use the personal information collected from staff/parents/carers and pupils. This includes special category data such as medical data.
- In the current pandemic, we may need to ask for data that you have not previously supplied. This data will be collected for, and on behalf of the school, to allow appropriate decisions to be made regarding assessing the ability to return to school and ensure that appropriate measures are put in place to allow for this safe return.
- We, additionally, may need to collect data about individuals that you reside with in order to factor in appropriate considerations for their wellbeing.
- All data collected by the school will be processed in accordance with our retention, destruction, data protection and data security policies. For further information these can be found on our school website or by requesting this information from the office.
- The legal bases for using your data in these circumstances will be either:
  - a) with your consent;
  - b) where it is necessary to process this data for the 'vital interests' of yourself or another person;
  - c) for the reasons of substantial public interest;
  - d) where it is necessary to assess the working capacity of an employee; or
  - e) where it is in the interests of public health.
- In the current pandemic, we may need to share select data with others. This can be with the NHS and emergency services, public authorities as well as other stakeholders. This will only be done where it is necessary and proportionate for us to do so.
- Staff, parents, carers, and children will not be requested to undertake a temperature check prior to entry into the school. If you or anyone in your household experience symptoms on

Covid-19, do not enter the premises. We ask that you inform us as soon as possible by telephone.