

Maidwell Primary School

Draughton Road
Maidwell
Northamptonshire
NN6 9JF

General Data Protection Regulation (GDPR) Policy



*Written by Ruth Hawker, Plumsun Ltd
Data Protection Officer on behalf of Maidwell Primary School*

History	Details
May 2018	New Policy
June 2019	No revisions
June 2020	No revisions
June 2021	Edits/updates based on latest Plumsun GDPR policy template dated 10 Feb 2021
June 2022	No revisions

The Governing Body of Maidwell Primary School have formally adopted this policy. The Headteacher and the Governing Body will review it no later than **12 months** from the date of signature below.

Last Review

June 2022

Next Review

June 2023

GB Approval
Date

Signature
Chair of Governors

I School Commitment

The School is committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller, the handling of such data in line with the data protection principles (see below) and the Data Protection Act (DPA).

Changes to data protection legislation (General Data Protection Regulations May 2018) shall be monitored and implemented in order to remain compliant with all requirements.

Article 6 Lawfulness of processing

Processing 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 9 Processing of special categories of personal data

- 1 Processing of personal data 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 shall be prohibited.
- 2 Paragraph 1 shall not apply if one of the following applies:
 - a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;

The requirements of this policy are mandatory for all staff employed by us and any third party contracted to provide services.

If personal information meets the above criteria, then individuals who have personal information held by us will be made aware of the personal information and the criteria for holding the information in the 'Information Audit' document, located on our website.

2 Roles

- 2.1 The member of staff responsible for data protection, the Data Controller, is the Headteacher: **Mrs Rosemarie James**. The Headteacher may delegate data controller duties as necessary.
- 2.2 The Data Controller is the person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be processed.

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- 2.3 The Data Protection Officer (DPO) is **Ruth Hawker**, Plumsun Ltd. Contact details can be found on the website: www.plumsun.com
- 2.4 The DPO monitors internal compliance, and informs and advises the school about their data protection obligations and acts as a contact point for data subjects and the supervisory authority.
- 2.5 The DPO is independent, an expert in data protection, adequately resourced, and reports to the highest management level (Headteacher and Chair of Governors).
- 2.6 All staff will treat all student information in a confidential manner and follow the guidelines as set out in this document.
- 2.7 Any Data Processors, processing data on behalf of the school (ie: external organisations) will confirm that they are achieving their obligations under the GDPR Regulations, and are registered with the ICO.
- 2.8 Roles under GDPR can be found on the ICO Website.

3 Training

- 3.1 The school is committed to ensuring that staff are aware of data protection policies, legal requirements.

4 Notification

- 4.1 Data processing activities and persons responsible will be registered with the Information Commissioner's Office (ICO) as required by the ICO. Details are available from the ICO: <https://ico.org.uk/about-the-ico/what-we-do/register-of-data-controllers/>
- 4.2 Changes to the type of data processing activities being undertaken shall be notified to the ICO and details amended in the register.
- 4.3 Breaches of personal or sensitive data shall be notified to the individual(s) concerned and the ICO as specified in the GDPR Regulations.

5 Personal and Sensitive Data

- 5.1 All data within the school's control shall be identified as personal, sensitive or both to ensure that it is handled in compliance with legal requirements and access to it does not breach the rights of the individuals to whom it relates.
- 5.2 The definitions of personal and sensitive data shall be those published by the ICO for guidance.

6 Principles

6.1 Under the GDPR, the data protection principles set out the main responsibilities for organisations. Article 5 of the GDPR requires that personal data shall be:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures

6.2 Article 5(2) requires that “the controller shall be responsible for, and be able to demonstrate, compliance with the principles.”

6.3 Notifications shall be in accordance with ICO guidance and, where relevant, be written in a form understandable by those defined as ‘Children’ under the legislation

7 The need for consent

We will ask for consent to hold and process personal information if there is no lawful basis for doing so (see article 6 and Article 9 above).

8 Data Breaches

- 8.1 All data breaches must be immediately reported to the Data Controller (Headteacher)
- 8.2 The Data Controller will assess whether the breach needs to be reported to the ICO and/or individuals concerned
- 8.3 The Data Controller will make any necessary reports
- 8.4 Immediate Action will be taken to review how the breach has occurred, and to make any necessary changes to procedures to ensure that the same problems do not arise in the future
- 8.5 The Data Protection Officer will provide a monitoring role and be a contact point for the supervisory authority as necessary

9 Protection Impact Statements

- 9.1 The school will evidence the thought and decision-making process about data protection when designing any processes in school which involve personal data
- 9.2 A Data Protection Impact Statement (DPIA) is needed when:
 - New technology is being deployed
 - A profiling operation is likely to significantly affect individuals
 - There is processing on a large scale of the special categories of data (*'special categories'* as specified in GDPR guidance)

10 Individual Rights

- 10.1 Individuals have the right to:
 - Be informed about what data is being held (Information Audit Document published on the school website)
 - Be informed about how and why the data is being processed (Information Audit Document published on the school website)
 - The right to access any data that is being held (see Subject Access Requests below)
 - The right to request that any data is erased (see Subject Access Requests below)
 - The right to restrict processing
 - The right to data portability (that the individual can transport the data held about them to another service) if the data is held by automatic means
 - The right to object to the way data is being held or processed
 - The right not to be subject to automated decision-making
- 10.2 The individual can write to the Headteacher regarding requests for data to be

erased, to restrict processing, to data portability, to not be subject to automated decision-making, or the right to object to the way data is being held or processed

11 Sharing of Information with Third Parties

- 11.1 There may be circumstances where the school is required either by law or in the best interests of students or staff to pass information onto external authorities, for example local authorities, Ofsted, or the Department of Health. These authorities have to adhere to data protection law and have their own policies relating to the protection of any data that they receive or collect
- 11.2 Personal data about children, will not be disclosed to third parties without the consent of the child (at an age who can act for themselves, specified under GDPR guidance) the child's parent or carer, unless it is obliged by law or in the best interest of the child
- 11.3 Examples of data that may be disclosed to third parties without the need for consent:
- Other schools: If a pupil transfers from one school to another school, their academic records and other data that relates to their health and welfare will be forwarded onto the new school
 - Examination authorities: This may be for registration purposes, to allow the pupils at the school to sit examinations set by external exam bodies
 - Health authorities: (Under health legislation), the school may pass on information regarding the health of children in the school to monitor and avoid the spread of contagious diseases in the interest of public health
 - Police and courts: If a situation arises where a criminal investigation is being carried out we may have to forward information on to the police to aid their investigation
 - Social workers and support agencies: In order to protect or maintain the welfare of pupils, and in cases of child abuse, it may be necessary to pass personal data on to social workers or support agencies
 - Department for Education and Ofsted to help the government monitor and audit school performance and enforce laws relating to education
- 11.4 The intention to share data relating to individuals to an organisation outside of the school shall be clearly defined within notifications and details of the basis for sharing given. These details are provided in the 'Information Audit Document' located on the school website. Data will be shared with external parties in circumstances where it is a legal requirement to provide such

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information, or where it is for the purpose of pupil provision, such as school meals and on-line curriculum work

11.5 Any proposed change to the processing of individual's data shall be notified to them (see the 'Information Audit Document' above). Under no circumstances will the school disclose information or data:

- that would cause serious harm to the child or anyone else's physical or mental health or condition
- indicating that the child is or has been subject to child abuse or may be at risk of it, where the disclosure **would not** be in the best interests of the child
- that would allow another person to be identified or identifies another person as the source, unless the person is an employee of the school or a local authority or has given consent, or it is reasonable in the circumstances to disclose the information without consent. The exemption from disclosure does not apply if the information can be edited so that the person's name or identifying details are removed

12 **Data Access Requests (Subject Access Requests)**

12.1 All individuals whose data is held by the school, have a legal right to request access to such data or information. A child may make a subject access request for themselves, specified under GDPR guidance. The school shall respond to such requests within one month

12.2 They should be made in writing to the Headteacher, who may delegate the request (as specified in their role above)

12.3 In line with our safeguarding and GDPR obligations, some personal information may be redacted for reasons such as:

- Information that might cause serious harm to the physical or mental health of the pupil or another person
- Information containing personal information about more than one individual

12.4 The Data Protection Officer (specified in 'Roles' above) will independently advise any requests as necessary. They will act as a contact point for data subjects and the supervisory authority

12.5 No charge will be applied to process the request

12.6 There is a right to appeal to the ICO upon dispute of a decision

13 **Right to be Forgotten**

- 13.1 Where any personal data is no longer required for its original purpose, an individual can demand that the processing is stopped and all their personal data is erased by the school including any data held by contracted processors

14 Photographs and Video

- 14.1 Images of staff and pupils may be captured at appropriate times and as part of educational activities for use in school only. Unless prior consent from parents/pupils/staff has been given, the school shall not utilise such images for publication or communication to external sources. It is the school's policy that external parties (including parents) may not capture images of staff or pupils during such activities unless these images are for personal use only. **(NB:** At all parent events, a notice is to be displayed that notifies parents of this).

See Online Safety Policy

- 14.2 We do not need to obtain consent to take photos or video of children in school (see section 7.1). To ensure transparency on this, a statement is displayed on the school website (see section 18).

15 Location of Information and Data

- 15.1 Hard copy data, records, and personal information are stored out of sight and in a locked cupboard. The only exception to this is medical information, attendance registers and signing in books (which must be immediately accessible and used in the case of an emergency). Sensitive or personal information and data should not be removed from the school site, however the school acknowledges that some staff may need to transport data between the school and their home in order to access it for work in the evenings and at weekends. This may also apply in cases where staff have offsite meetings, or are on school visits with pupils. Risks of identified breaches from existing processes have been considered and have been recorded on an Impact Assessment Form

- 15.2 The following guidelines are in place for staff in order to reduce the risk of personal data being compromised:

- Paper copies of data or personal information should not be taken off the school site, unless the Data Controller has provided permission to do so (such as the need for emergency information during educational visits). If there is no other way to avoid taking a paper copy of data off the school site, the information should not be on view in public places, or left unattended under any circumstances
- Unwanted paper copies of data, sensitive information or pupil files should

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be shredded. This also applies to handwritten notes if the notes reference any other staff member or pupil by name

- Care must be taken to ensure that printouts of any personal or sensitive information are not left in printer trays or photocopiers
- If information is being viewed on a PC, staff must ensure that the window and documents are properly shut down before leaving the computer unattended. Sensitive information should not be viewed on public computers
- If it is necessary to transport data away from the school, it should be downloaded onto a password protected USB stick or computer. Computers will also be encrypted if it is viable to do so. The data should not be transferred from computers or USB onto any public computers. Work should be edited from the USB, and saved onto the USB or authorised computers only

15.3 These guidelines are clearly communicated to all school staff, and any person who is found to be intentionally breaching this conduct will be disciplined in line with the seriousness of their misconduct

16 Data Security

16.1 In order to assure the protection of all data being processed and inform decisions on processing activities, we shall undertake an assessment of the associated risks of proposed processing and equally the impact on an individual's privacy in holding data related to them. Risk and impact assessments shall be conducted in accordance with guidance given by the ICO and in compliance with the Data Protection Regulations (GDPR)

16.2 Security of data shall be achieved through the implementation of proportionate physical and technical measures. Nominated staff shall be responsible for the effectiveness of the controls implemented and reporting of their performance. The security arrangements of any organisation with which data is shared shall also be considered and where required these organisations shall provide evidence of the competence in the security of shared data

17 Data Disposal

17.1 The school recognises that the secure disposal of redundant data is an integral element to compliance with legal requirements and an area of increased risk. All data held in any form of media (paper, tape, electronic) shall only be passed to a disposal partner with demonstrable competence in providing secure disposal services. All data shall be destroyed or eradicated

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to agreed levels meeting recognised national standards, with confirmation at completion of the disposal process. Disposal of IT assets holding data shall be in compliance with ICO guidance.

18 Public Documents and Notices

18.1 The following documents and notices will be accessible on the school website:

- Maidwell Primary School General Data Protection Regulation Policy
- Information Audit
- School Statement (see Appendix 1)
- Privacy Notice – Employees (see Appendix 2)
- Privacy Notice – Students (see Appendix 3)
- Photographs and video statement (see Appendix 4)
- Website Privacy Notice

19 Abbreviations

GDPR	General Data Protection Regulations
ICO	Information Commissioners Office
DPO	Data Protection Officer

Maidwell Primary School – GDPR Statement

Although data regulations changed on 25 May 2018, our commitment to protecting your details will never change. We want you to know that we take privacy very seriously. We always manage your details responsibly, and take great care to keep them safe and secure.

We store and sometimes transfer your information to other authorities, so that we can operate effectively as a school and be able to positively implement our duty of care for the school community. Under data regulations we are lawfully able to do this to carry out tasks in the public interest and as part of our legal obligation.

We are being more transparent so that you know more about the personal information we hold. We have completed an information audit (located on our website) so you can see this information. Further information is also included in our data protection policy and privacy notices.

You have rights under data protection regulations, and we would like you to know what they are:

- a right of access to a copy of the information comprised in your personal data. However we may consider applying an exemption to some information where our duties may be potentially compromised.
- a right to object to processing that is likely to cause or is causing damage or distress;
- a right to prevent processing for direct marketing;
- a right to object to decisions being taken by automated means, unless we have an overriding legitimate reason to continue;
- a right in certain circumstances to have inaccurate personal data rectified, blocked, erased or destroyed.
- a right to claim compensation for damages caused by a breach of the Act.

If you would like to make any requests, think your data has been misused or it is not secure, you should contact us:

Data Controller, the Headteacher, who may delegate their duty to other employees.

Data Protection Officer, Ruth Hawker, Plumsun Ltd www.plumsun.com

If you're unhappy with our response or if you need any advice you can contact the Information Commissioner's Office (ICO).

ICO helpline

Telephone: 0303 123 1113

Authorised on _____ by:
(date)

_____ Chair of Governors

_____ Headteacher

Privacy Notice (How we use school workforce information)

We process personal data relating to those we employ to work at, or otherwise engage to work at the school. This is for employment purposes to assist in the running of the school and/or to enable individuals to be paid.

The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, employee or teacher number, national insurance number)
- special categories of data including characteristics information such as gender, age, ethnic group
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)

Information the school collects has been identified in the 'Information Audit' document, which can be accessed on the school's website. If there is any reason that the school is holding information, which has been omitted from the document, then the school will update the document immediately they are aware of it.

Why we collect and use this information

We use school workforce data to:

- to administer school property
- to maintain accounts and records
- to support staff training
- to provide appropriate pastoral care
- to assess the quality of services
- to comply with the law regarding data sharing
- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enable individuals to be paid
- enabling ethnicity and disability monitoring; and
- supporting the work of the School Teachers' Review Body

The lawful basis on which we process this information

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR).

The condition for processing under the GDPR will be:

Article 6

- I. Processing shall be lawful only if and to the extent that at least one of the following applies:
 - (c) Processing is necessary for compliance with a **legal obligation** to which the controller is subject;
 - (e) processing 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 9(2)

(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

- I. Processing of personal data 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 shall be prohibited.
2. Paragraph I shall not apply if one of the following applies:
 - (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on 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.

Further information regarding data collection can be found in the Education Act 1996 within guide documents on the following website: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

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 data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

Storing this information

We hold staff data while they are on roll.

The staff file and electronic records are deleted when the member of staff leaves the school.

Any other data required for legal purpose (and compliance with Ofsted audits of the school) will remain on file and archived.

Who we share this information with

We routinely share this information with:

- The local authority
- The Department for Education (DfE) and central government
- Education, training, careers and examining bodies
- School staff and boards
- Family, associates and representatives of the person whose personal data we are processing
- Financial organisations
- NHS and healthcare professionals
- Social and welfare organisations

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- Law enforcement organisation and courts
- Current, past or prospective employers
- Voluntary and charitable organisations
- Business associates and other professional advisers
- Suppliers and service providers
- Security organisations
- Press and the media
- School trips organisations

Why we share school workforce information

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

Local authority

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.

Department for Education (DfE)

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Data collection requirements

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work 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 department 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 department 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 DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

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- 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 securely store and handle the data

To be granted access to school workforce information, organisations must comply with its 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>

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

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact:

Head Teacher, Data Controller

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 the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Further information

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

Rosemarie James, Data Controller

Ruth Hawker, Data Protection Officer
Plumsun Ltd www.plumsun.com

Authorised on _____ by:
(date)

_____ Chair of Governors

_____ Headteacher

Privacy Notice (How we use student information)

The school uses various sources of students information to make improvements to the educational experience and achievements for existing and future students at the school.

The categories of student information that we collect, hold and share include:

- Personal information (such as name, unique pupil number and address, parent/guardian)
- 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)
- Assessment information
- Medical conditions
- Special Educational Needs and Disability
- Behaviour and exclusions
- Education/school history
- Siblings information

Information the school collects has been identified in the 'Information Audit' document, which can be accessed on the schools website. If there is any reason that the school is holding information, which has been omitted from the document, then the school will update the document immediately they are aware it.

Why we collect and use this information

The school collects and holds personal information relating to pupils and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE). We use this personal data to:

- support our pupils' learning
- monitor and report on their progress
- provide appropriate pastoral care
- assess and audit the quality of our services
- protect public monies against fraud
- to comply with the law regarding data sharing
- to safeguard students

Examples of information needed to fulfil the above may be kept about a pupil to monitor national curriculum assessment results, attendance information, exclusion information, where pupils go after they leave the school and personal characteristics such as their ethnic group, any special educational needs they may have as well as relevant medical information. *Photographs, achievements and statistical information may be used to benchmark the quality of the students experiences offered by the school.*

The lawful basis on which we use this information

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

Article 6

2. Processing shall be lawful only if and to the extent that at least one of the following applies:

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- (c) Processing is necessary for compliance with a **legal obligation** to which the controller is subject;
- (e) processing 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 9(2)

(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

- 2. Processing of personal data 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 shall be prohibited.
- 3. Paragraph 1 shall not apply if one of the following applies:
 - (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on 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.

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy (shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

Collecting student information

Whilst the majority of student 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.

Storing student data

We hold student data for the duration of time each the child remains a student of the school.

Who we share student information with

We routinely share student information with:

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- schools that student's attend after leaving the school
- the local authority
- the Department for Education (DfE)
- NHS/school nurse
- Third party professional services i.e. Social Services, Social Care Teams

Why we share student information

We do not share information about our pupils with anyone without consent unless the law and our policies allow 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 our local authority (LA) and the Department for Education (DfE) under section 3 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 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

**Maidwell Primary School
GDPR POLICY**

- 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 students have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, 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 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, we request that you raise your concern with us in the first instance. Alternatively, you can contact 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:

Rosemarie James, Data Controller

Ruth Hawker, Data Protection Officer
Plumsun Ltd www.plumsun.com

Authorised on _____ by: (date)

_____ Chair of Governors

_____ Headteacher

Statement regarding photographs and video in school.

This notice is to inform you that we regularly record photographs and video within school and these captured images may include your child.

We take these images for a number of reasons including (but not limited to):

- showcasing good work
- recording outcomes in science experiments
- capturing children’s verbal work such as story retelling.

For your information and our transparency: Under the General Data Protection Regulations (GDPR) and associated Data Protection Laws we do not need to obtain consent to take photographs and video of your child for use within school.

Authorised on _____ by:
(date)

_____ Chair of Governors

_____ Headteacher