

Whickham Parochial Church of England Primary School



Data Protection Privacy Notice

2022 - 2025

Mission Statement

At our Parochial school we aim to provide a stimulating and caring environment in which every child flourishes, with Christianity at the heart of all we do.

Aims

At Whickham Parochial we believe that every child is entitled to enjoy their childhood, celebrate their individuality and reach their full potential. We aim to do this through:

- Creating a caring school family living by Christian values.
- Celebrating everyone's strengths and efforts.
- Valuing the opportunities we have to contribute to our community and the wider world.
- Offering wide ranging quality experiences that stimulate children's minds.
- Encouraging respect for others, positive behaviour and good manners, enabling all children to feel secure and valued.
- Building strong links between school, home and church.
- Preparing children for future challenges in a changing world

We wish every child to take with them happy memories of Whickham Parochial into their future life.



Whickham Parochial C of E Primary School

Privacy Notice for Pupils and Parents

How we use pupil and parent information

Under the General Data Protection Regulation (GDPR) we are obliged to inform you of the information we hold on you and your child(ren), what we use it for, who we share it with, and for how long we keep it. This privacy notice (also known as a fair processing notice) aims to provide you with this information.

Whickham Parochial C of E Primary School is the data controller of the personal information that we collect, hold and share about you and your child(ren). This means the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed. We are registered as a data controller with the Information Commissioner's office with the following data protection registration number **Z5579137**

1. The categories of pupil & parent information that we collect, hold and share include but are not limited to:

- Personal information (such as name, unique pupil number and address, parent's national insurance number).
- Contact details and preference (contact telephone numbers, email addresses, addresses)
- Characteristics (such as ethnicity, religion, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as data scores, tracking, and internal and external testing)
- Relevant medical information (such as NHS information, health checks, physical and mental health care, immunisation program and allergies)
- Special educational needs information (such as Education, Health and Care Plans (EHCP's), applications for support, care or support plans)
- Safeguarding information
- Exclusion information
- Behavioural information
- Photographs (for internal safeguarding & security purposes, school newsletters, media and promotional purposes).
- Payment details

We may also hold data about pupils that we have received from other organisations, including other schools, Gateshead Council and other local authorities, and the Department for Education.

2. Why we collect and use this information

Whickham Parochial is obliged to collect and use personal information about pupils and their families. We use pupil and parent data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral and medical care
- for safeguarding and pupil welfare purposes
- to administer school admissions waiting lists
- for research purposes
- to inform you about events and other things happening in the school



- to assess the quality of our services
- to comply with the law

3. The lawful basis on which we use this information

Our lawful basis for collecting and processing pupil information is defined under Article 6(1) of the GDPR, and the following sub-paragraphs apply:

- a) Data subject gives consent for one or more specific purposes.
- b) Processing is necessary for the performance of a contract.
- c) Processing is necessary to comply with the legal obligations of the controller.
- d) Processing is necessary to protect the vital interests of the data subject.
- e) Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).

Our lawful basis for collecting and processing pupil information is also further defined under Article 9(2) of the GDPR in that some of the information we process is sensitive personal information, for example, personal data relating to race or ethnic origin, religious beliefs, data concerning health) and the following sub-paragraphs in Article 9(2) of the GDPR apply:

- a) The data subject has given explicit consent to the processing
- b) Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the school or of pupils and their parents
- c) Processing is necessary to protect the vital interests of the data subject
- f) Processing is necessary for the establishment, exercise or defence of legal claims
- g) Processing is necessary for reasons of substantial public interest
- h) Processing is necessary for the purposes of preventative or occupational medicine and the provision of health or social care or treatment.
- i) Processing is necessary for reasons of public interest in the area of public health

A full breakdown of the information we collect on pupils and parents and the lawful basis can be requested from the school office.

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

An example of how we use the information you provide is:

The submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under Section 537A of the Education Act 1996.

Putting the school census on a statutory basis:

- *means that schools do not need to obtain parental or pupil consent to the provision of information*
- *ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils*
- *helps to ensure that returns are completed by schools*



4. 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 we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.

5. Storing pupil data

We have robust data protection policies and procedures in place to protect the personal information that we hold about you and your child(ren), which are regularly reviewed. Further information about our data protection policies can be found on our website or by contacting the school office.

We hold pupil data whilst your child remains at Whickham Parochial Primary School. The file we hold about your child will follow them when they leave our school. However, where there is a legal obligation to retain information about your child once he/she has left our school, it will be retained in line with our Records Management and Disposal of Records Schedule. Full details of data retention periods adopted by Whickham Parochial Primary School can be found in the Disposal of Record Schedule, which is accessible by contacting the school office.

6. Who we share pupil information with

We routinely share pupil information with appropriate third parties, including:

- Gateshead Council and other local authorities – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- The pupil's family and representatives
- Educators and examining bodies
- Ofsted
- Suppliers and service providers to enable them to provide the service we have contracted them for or for the purposes of helping school to deliver the national curriculum.
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies
- Schools that the pupil's attend after leaving us

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with EU data protection law. When transferring personal information outside the EEA, we will:

- include the standard contractual data protection clauses approved by the European Commission for transferring personal information outside the EEA into our contracts with those third parties (these are the clauses approved under Article 46.2 of the General Data Protection Regulation (GDPR)); or



- ensure that the country in which your personal information will be handled has been deemed "adequate" by the European Commission under Article 45 of the GDPR.

You can find out further information about the rules on data transfers outside the EEA, including the mechanisms that we rely upon, on the European Commission website [here](#)

7. Why we share pupil 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 may share information with third parties that contract with DfE

We are required to share information about our pupils, or former pupils, with Gateshead Council and the DfE under section 3 of The Education (Information about Individual Pupils) (England) Regulations 2013.

8. 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) visit: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

9. 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>.

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 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: 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 DfE data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations 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>

You can contact the DfE for further information using the hyperlink <https://www.gov.uk/contact-dfe>

10. Requesting access to your personal data and your Data Protection Rights

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold, through a Subject Access Request (SAR)

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and we hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding, and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

To make SAR for your personal information, or the personal information of your child(ren), contact Mrs Rachel Walton, Tel. 0191 4887867. Subject Access Request form can also be found on our school website

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 direct marketing
- Object to decisions being taken by automated means
- In certain circumstances, have inaccurate or incomplete personal data rectified, blocked, restricted, erased or destroyed.
- claim compensation for damages caused by a breach of the Data Protection regulations



11. Requesting access to your child's educational record

Parents have a right of access to their child's educational record under the Education (Pupil Information) (England) Regulations 2005. A parent wishing to exercise their right of access to their child's educational record under the Regulations must make their request in writing to the Board of Governors.

We are obliged to deal with a request that comprise, in whole or in part, a child's education record within 15 school days. Requests to view the educational record are free. We may charge a fee for supplying a copy of the educational record under the Regulations, however, the fee must not exceed the cost of supplying the information. We will notify you of any charges that may be applicable.

12. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with Mrs Rachel Walton, Tel. 0191 4887867 in the first instance.

Alternatively, you can raise a concern or complaint with the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday to Friday 9am – 5pm.

You can also report concerns and make complaints online via <https://ico.org.uk/make-a-complaint/>

13. Where can you find out more information?

If you would like to find out more information about how we collect, use and store your personal data, please visit our website: whickhamparochial.org, where you can view or download copies of our data protection policies and procedures.

DATA PROTECTION POLICY

1.0 Introduction

1.1 Whickham Parochial School's Data Protection Policy has been produced to ensure we are compliant with the Data Protection Act 2018 (DPA), GDPR and associated legislation, and it incorporates guidance from the Information Commissioner's Office (ICO).

1.2 The GDPR & the DPA gives individuals rights over their personal data and protects individuals from the erroneous use of their personal data.

1.3 The School is registered with the ICO as a Data Controller for the processing of living individuals' personal information.

Our data controller registration number is: Z5579137

2.0 Purpose

2.1 The School Data Protection Policy has been produced to ensure it is compliant with the GDPR & DPA 2018.



2.2 The Policy incorporates guidance from the ICO, and outlines the School's overall approach to its responsibilities and individuals' rights under the DPA 2018.

3.0 Scope

3.1 This Policy applies to all Employees & Governors (including temporary, casual or agency staff, contractors, consultants and suppliers working for, or on behalf of the School), third parties and others who may process personal information on behalf of the School.

3.2 The Policy also covers any staff and students who may be involved in research or other activity that requires them to process or have access to personal data, for instance as part of a research project or as part of professional practice activities. If this occurs, it is the responsibility of the relevant School to ensure the data is processed in accordance with the GDPR & DPA 2018 and that students and staff are advised about their responsibilities. In addition, the activity should be referred to the Research Ethics Committee.

4.0 Data covered by the Policy

4.1 A detailed description of this definition is available from the ICO, however briefly, personal data is information relating to an individual where the structure of the data allows the information to be accessed i.e. as part of a

relevant filing system. This includes data held manually and electronically and data compiled, stored or otherwise processed by the School, or by a third party on its behalf.

4.2 Sensitive personal data is personal data consisting of information relating to:

- Racial or ethnic origin
- Political opinions, Religious beliefs or other beliefs of a similar nature
- Membership of a trade union (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992)
- Physical or mental health or condition
- Sexual life or sexual orientation
- Genetic or biometric documentation

5.0 The Six Data Protection Principles

5.1 The GDPR & the DPA 2018 require the School staff, Governors and others who process or use any personal information must comply with the six data protection principles. The School must be able to demonstrate compliance with the law in accordance with GDPR & the DPA accountability principle.

5.2 The principles require that personal data shall:

- Be processed fairly, lawfully and in a transparent manner



- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose
- Be adequate, relevant and limited to what is necessary in relationship to the purposes for which the data is processed
- Be accurate and kept up to date
- Not be kept for longer than is necessary
- Be kept safe from unauthorised or unlawful processing and against accidental loss, destruction or damage

6.0 Responsibilities

6.1 The School must appoint a Data Protection Officer to handle day-to-day issues which arise, and to provide members of the School with guidance on Data Protection issues to ensure they are aware of their obligations. The duties, tasks and appointment of the DPO are defined in articles 37-39 of the GDPR. Please contact the DPO for schools should you have any concerns, queries or complaints in relation to any aspect of the schools data protection compliance.

Contact details -

Rachel Walton Telephone – 0191 4887867

E-mail – rachelwalton@gateshead.gov.uk

6.2 All new members of staff will be required to complete a mandatory information governance module as part of their induction and existing staff will be requested to undertake refresher training on a regular basis.

6.3 Employees of the School are expected to:

- Familiarise themselves and comply with the six data protection principles
- Ensure the possessing of personal data of pupils, parents, staff and Governors is accurate and up to date
- Ensure their own personal information is accurate and up to date
- Keep personal data for no longer than is necessary
- Ensure that any personal data they process is secure and in compliance with the School's information related policies and strategies. Please contact the School Business Manager
- Acknowledge data subjects' rights (e.g. right of access to all their personal data held by the School) under the GDPR & DPA 2018, and comply with access to records
- Ensure personal data is only used for those specified purposes and is not unlawfully used for any other business that does not concern the School/Academy



- Obtain consent where necessary when collecting, sharing or disclosing personal data

6.4 Students, of the School are expected to:

- Comply with the six data protection principles
- Comply with any security procedures implemented by the School.

7.0 Obtaining, Disclosing and Sharing

7.1 Only personal data that is necessary for a specific School related business reason should be obtained.

7.2 Students are informed about how their data will be processed when they agree to the Data Processing Consent Notice upon registration.

7.3 Upon acceptance of employment at the School, members of staff also consent to the processing and storage of their data.

7.4 Data must be collected and stored in a secure manner.

7.5 Personal information must not be disclosed to a third party organisation without prior consent of the individual concerned. This also includes information that would confirm whether or not an individual is or has been an applicant, student or employee of the School.

7.6 The School may have a duty to disclose personal information in order to comply with legal or statutory obligation. The GDPR & DPA 2018 allows the disclosure of personal data to authorised bodies, such as the police and other organisations that have a crime prevention or law enforcement function. Any requests to disclose personal data for reasons relating to national security, crime and taxation should be directed to the DPO for schools, see contact details above – paragraph 6.1.

7.7 Personal information that is shared with third parties on a more regular basis shall be carried out under a written agreement/contract, stipulating the purview and boundaries of any information shared. For circumstances where personal information would need to be shared in the case of ad hoc arrangements, sharing shall be undertaken in compliance with the GDPR & DPA 2018.

8.0 Retention, Security and Disposal

8.1 Recipients responsible for the processing and management of personal data need to ensure that the data is accurate and up-to-date. If an employee, student or applicant is dissatisfied with the accuracy of their personal data, then they must inform the School Business Manager.

8.2 Personal information held in paper and electronic format shall not be retained for longer than is necessary. In accordance with principle 2 and principle 4 of the GDPR & DPA 2018, personal information shall be collected and retained only for business, regulatory or legal purposes.

8.3 In accordance with the provisions of the GDPR & the DPA 2018, all staff whose work involves processing personal data, whether in electronic or paper format, must take personal responsibility for its secure storage and ensure appropriate measures are in place to prevent accidental loss or destruction of, or damage to, personal data.



8.4 In accordance with the School's Flexible Working Scheme, staff working from home will be responsible for ensuring that personal data is stored securely and is not accessible to others.

8.5 All departments should ensure that data is destroyed in accordance with the Retention Schedule when it is no longer required.

8.6 Personal data in paper format must be shredded or placed in the confidential waste bins provided. Personal data in electronic format should be deleted, and CDs and pen drives that hold personal data passed to your I.T provider for safe disposal. Hardware should be appropriately degaussed/appropriately wiped in compliance with your I.T service provider contract and conforms with DPA and GDPR requirements.

9.0 Transferring Personal Data

9.1 Any transfer of personal data must be done securely in line with the School's Information Security Policy.

9.2 Email communication is not always secure and sending personal data via external email should be avoided unless it is encrypted with a password provided to the recipient by separate means such as via telephone.

9.3 Care should be taken to ensure emails containing personal data are not sent to unintended recipients. It is important that emails are addressed correctly and care is taken when using reply all or forwarding or copying others in to emails. Use of the blind copy facility should be considered when sending an email to multiple recipients to avoid disclosing personal information to others.

9.4 Personal email accounts should not be used to send or receive personal data for work purpose.

10.0 Data Subjects Right

10.1 Under GDPR & the DPA 2018 data subjects have the right of

- Subject access to their personal data held by the School. This applies to data held in both paper and electronic format, and within a relevant filing system.
- The right to erasure/the right to be forgotten, data portability the right to restriction and the right to object.

10.2 The School shall use its discretion under the GDPR & the DPA 2018, to encourage informal access at a local level to a data subject's personal information, but it will also have a formal procedure for the processing of Subject Access Requests.

10.3 Any individual who wishes to exercise their rights should contact the school Business Manager for additional information

10.4 The School may charge a fee in certain circumstances. It will only release any information upon receipt of the completed Subject Access Request Form, along with proof of identity or proof of authorisation where requests are made on the behalf of a data subject by a third party. The requested information will be provided within the statutory timescale of 1 month from receipt of the completed form.



11.0 Reporting a Data Security Breach

11.1 It is important the School responds to a data security breach quickly and effectively. A breach may arise from a theft, a deliberate attack on School systems, and unauthorised use of personal data, accidental loss or equipment failure. Any data breach should be reported to the Head Teacher/School Business Manager in the first instance. The school will notify the Data Protection Officer for further advise and assistance. Please refer to the Data Breach reporting policy for more information.

11.2 Any breach will be investigated in line with the procedures within the Data Breach Policy. In accordance with that policy, the school will treat any breach or security breach as a serious issue. Each incident will be investigated and judged on its individual circumstances and addressed accordingly.

This policy will be updated in the light of any statutory changes or by May 2025.

R. Walton (Head Teacher)

