



Privacy Notice for Parents/Carers

Under UK data protection requirements, individuals have a right to be informed about how the school uses any personal data. The school complies with this requirement by providing 'privacy notices' (sometimes called 'fair processing notices') to inform individuals about how their personal data will be processed. This privacy notice explains how the school collects, stores, uses and deletes personal data about students and their families. This document is based on a variety of sources and has been tailored to the specific needs of the school.

Who processes your information?

Meltham CE Primary School is the data controller of any personal data provided. 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.

In some cases, personal data processing will be outsourced to a third-party; however, this will only be done with your consent, unless the law or our policies allow the school to share your data. Where the school outsources data to a third-party processor, the same data protection standards that the school upholds are imposed on the processor.

Satswana Ltd is the Data Protection Officer (DPO). While the school remains responsible for data protection, the role of the DPO is to oversee and monitor the school's data protection procedures, and to support the school in its compliance with the UK data protection requirements. The DPO can be contacted on 01484 850671 or by email office.meltham@kirkleeseducation.uk.

What personal data is collected?

The categories of pupil information that the school collects, holds and shares include but are not restricted to the following:

- personal information (such as names of both pupils and their parents or carers and their addresses)
- characteristics (such as ethnicity, language and free school meal eligibility)
- attendance information (such as number of absences and absence reasons)
- assessment information (such as national curriculum assessment results)
- medical information (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- information relating to special educational needs and disability (SEND)
- behavioural information (such as number of temporary exclusions)
- safeguarding information (such as court orders and professional involvement)

When collecting data, the school will inform you if your consent is needed. Where consent is required, the school will provide you with specific and explicit information explaining the reason(s) the data is being collected, how the data will be used and how consent can be withdrawn. The above list is not exhaustive.

Why does the school collect personal data?

Meltham CE Primary School has the legal right to collect and use personal data relating to pupils and their families, and may also receive information regarding them from their previous school, Local Authority (LA) and/or the Department for Education (DfE).

Whilst the provision of the majority of personal data is mandatory, some of it is provided to the school on a voluntary basis. In order to comply with the UK data protection requirements, the school will inform you whether you are required to provide certain information or if you have a choice.

The personal data of pupils and their families is collected and used for the following reasons:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our service
- to keep children safe (e.g. food allergies or emergency contact details)
- to meet the statutory duties placed upon us for DfE data collections
- to facilitate school trips and activities
- to safeguard pupils

The lawful basis on which the school will use personal data

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing pupil information are:

- for the purposes of completing statutory pupil level data returns to the DfE and for the population of a central pupil database held by Kirklees Council in accordance with the legal basis of:

Article 6

1. 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.
In addition, concerning any special category data:

Article 9

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, 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:
(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 Act 1996 – Section 537A – states that we provide individual pupil information to 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.

1. Comply with a legal obligation The school will collect and use personal data in order to meet legal requirements and legitimate interests set out not only in the UK data protection requirements but also:

- Section 537 of the Education Act
- Regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013
- The Education (School Performance Information) (England) Regulations 2007
- Children's Act 1989
- Education and Skills Act 2008
- DfE Keeping children safe in Education 2018
- DfE Working together to safeguard children 2018
- Health and Safety at Work Act 1974
- The Disability Discrimination Act 1995

2. Perform an official task in the public interest. The school will collect and use personal data in order to meet the curriculum requirements of section 78 of the Education Act 2002 – to deliver a balanced and broadly-based curriculum which promotes the spiritual, moral, cultural, mental and physical development of pupils at the school and prepares pupils for the opportunities, responsibilities and experiences of later life. This includes school trips and activities.

3. To protect an individual's vital interests.

4. Where we have gained your explicit consent. We may occasionally require your consent to process particular personal data, examples would be the sharing of photographs of children and where we use your contact information about external activities.

Where we process special categories of personal data, such as medical information and ethnicity, the processing is necessary for reasons of substantial public interest. Where this does not apply the school will seek consent for specific purposes.

Some of the reasons listed above for collecting and using personal information overlap, and there may be several grounds which justify the school's use of your data.

Collecting pupil information

We collect pupil information via registration forms when your child starts at our school, Admissions Transfer File (ATF) or Common Transfer File (CTF), secure file transfer from previous school.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

Storing personal data

Personal data relating to pupils at Meltham CE Primary School and their families is stored in line with the school's Data Protection Policy which can be found on the school website. The school will keep personal data for the minimum amount of time necessary for the school to remain in compliance with its legal and regulatory obligations and in line with our data retention schedule.

Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely. For example, the school will shred or incinerate paper-based records and override electronic files. The school may also use an outside company to safely dispose of records.

Sharing personal data

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 our Local Authority and the Department for Education on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring. For further information go to: <http://www.kirklees.gov.uk/privacy>.

We also share pupil data with; Schools that the pupils attend after leaving us for the purpose of continuity and statutory obligation, local authorities as this data sharing underpins school funding and educational attainment policy and monitoring, youth support services (pupils aged 13) as this data enables them to provide services such as careers advice, the Department for Education (DfE) this is a statutory requirement for the purpose of funding, attainment reporting and monitoring, [How DfE share personal data - GOV.UK \(www.gov.uk\)](http://www.gov.uk), Locala (NHS) for the school health service (school nurses) also to provide data for children in reception and year 6 as part of the annual National Childhood Measurement Programme and to support immunisation programmes, school age statutory and routine medicals, and other programmes delivered by the Child Health, School Nurse and Community Paediatric Teams to children based in schools maintained by Kirklees Council.

The school also routinely shares pupils' information with:

- pupils' destinations upon leaving the school
- our local authority – to meet our legal duties to share certain information with it, such as concerns about pupils' safety and exclusions
- your family and representatives – in case of emergencies such as a health matter and as necessary in the performance of our education function
- educators and examining bodies – as necessary in the performance of our education function
- our regulator (the organisation or "watchdog" that supervises us), Ofsted – to enable it to evaluate the education we provide, which is in the public interest
- suppliers and service providers – so that they can provide the services we have contracted them for
- financial organisations – so that they can provide the services we have contracted them for
- our auditors – to demonstrate that we have taken appropriate action in providing your education
- health authorities – to comply with our legal and statutory obligations, with investigations and to support legal entitlements
- security organisations – with regard to legal or safeguarding investigations and to assist in crime prevention, detection and prevention of fraud
- health and social welfare organisations – to enable us to comply with our duty of care and statutory safeguarding duties for your wellbeing
- professional advisers and consultants – to comply with entitlements and assist with claims
- police forces, courts, tribunals – in order to uphold law and order

The school uses various systems, such as assessment and reporting software, communication systems and curriculum software that may process pupil and family information. As the data controller the school will ensure that processors meet and uphold the required data protection standards.

Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

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.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the [Schools Admission Code](#), including conducting Fair Access Panels.

Requesting access to personal data

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them. Parents and carers can make a request with respect to their child's data, they also 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 if the school does hold information about you or your child, the school will:

- give you a description of it
- tell you why the school is holding and processing it, and how long it will be kept for
- explain where the school got it from, if not from you
- 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.

If you would like to make a subject access request, please contact our DPO via the school office. You are entitled to submit subject access requests all year round, but please bear in mind that it may be necessary for us to extend the response period when requests are submitted over the summer holidays. This will be the case where the request is complex – for example, where we need multiple staff to collect the data.

Parents and carers also have a legal right to access to their child's educational record. To request access, please contact the school office.

Other rights regarding personal data under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- object to the use of personal data if it would cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- in certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- claim compensation for damages caused by a breach of the data protection regulations
- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)

- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you
- To exercise any of these rights, please contact the DPO via the school office.

Complaints

We take any complaints about the 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 data processing, please raise this with the school in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5A

Where can you find out more information?

If you would like to find out more information about how we use and store your personal data, please visit our website <https://melthamceschool.co.uk/> to view our Data Protection Policy.

- Kirklees Council, Information Governance Team
Telephone: 01484 221000
Email: information.governance@kirklees.gov.uk
- Ministerial and Public Communications Division - Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD
Telephone: 0370 000 2288

How Government uses your data

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>.

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

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)

Much of the data about pupils in England goes on to be held in 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.

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

Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit:

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

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfе-external-data-shares>.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated September 2023.