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**Benwick Primary School**

**Privacy notice for parents/carers**

You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a ‘privacy notice’ to you to explain where/why we are processing your personal data.

**The personal data we hold**

Personal data that we may collect, use, store and share (when appropriate) about a pupil includes, but is not restricted to:

* Contact details, contact preferences, date of birth, identification documents
* Results of internal assessments and externally set test
* Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
* Exclusion information
* Details of medical conditions, including physical and mental health
* Attendance information
* Details of any support received, including care packages, plans and support providers
* Photographs/video images (unless you have explicitly withdrawn consent)

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

**Why we use this data**

We use this data to:

* Support pupil learning
* Monitor and report on pupil progress
* Provide appropriate pastoral care
* Protect pupil welfare
* Assess the quality of our services
* Communicate with you
* Comply with the law regarding data sharing
* Share data for statutory inspections and audit purposes
* Communicate with priority 1 & 2 contacts
* Provide essential information to appropriate third parties – including health, social services etc.

**Our Legal basis for using this data**

We only collect and use pupils’ data when the law allows us to. Most commonly, we process it where:

* We need to comply with legal obligations
* We need to perform an official task in the public interest
* The Education Act (various years)
* The Educations (Pupil Registration, England) Regulations
* The School Standards and Framework Act 1998
* The School Admissions Regulations 2012
* Children and Families Act 2014
* The Special Educational Needs and Disability Regulations 2014
* Article 8 (1) (2) recital (38)
* Article 6 (1)a-(f), and Article 9 (GDPR) – from 25 May 2018
* Article 5 (6 Principles – from May 2018)

The DfE process census data under the various Education Acts – further information can be found on their website

<http://www.gov.uk/education/data-collection-and-censues-for-schools>

Where we have got permission to use your data, you or your child may withdraw this at anytime. We will make this clear when we ask for permission, and explain how we go about withdrawing consent.

Some of the reasons listed above for collecting and using pupils’ personal data overlap and there may be several grounds which mean we can use your data.

**Collecting this information**

Whilst in most cases pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with General Data Protection Regulations, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this. We will always tell you if its optional. If you must provide the data, we will explain what might happen if you don’t.

**How we store this data**

We keep personal information about pupils while they are attending our school. We also keep it when they have left our school, where we are required to by law.

We have a Retention Record Management Policy which sets out how long we must keep information about a pupil. This Policy is uploaded to our Benwick Primary School website: [www.benwick.camb.sch.uk](http://www.benwick.camb.sch.uk).

**Data sharing**

We do not share information about pupils with anyone outside of the school without permission from you or parents/carers, unless the law and our policies allow us to do so.

Where it is legally required, or necessary for another reason allowed under the Data Protection Law and it complies with Data Protection Law, we may share personal information about a pupil with:

* Our local authority (Cambridgeshire County Council) <https://www.cambridgeshire.gov.uk/data-protection-and-fai/information-and-data-sharing> – to meet our legal obligations to share certain information with it, such as safeguarding concerns safety and exclusions
* The Department for Education
* The pupil’s family and representatives
* Educators and examining bodies
* Our regulator (Ofsted)
* Suppliers and service providers (Cool Milk, Lunchtime Services Ltd and Software providers) to enable them to provide the service we have contracted them for
* 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 and tribunals
* Professional bodies

**National Pupil Data Base (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 school census and early years census. Some of the 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 please visit their website <http://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

You can also contact the Department for Education if you have any questions about the database.

**Youth Support services**

Once your child reaches the age of 13, we are legally required to pass on certain information about them to the local authority within the school catchment area, as it has legal responsibility regarding the educational and training of 13-19 year old students.

This information enables the service to provide youth support services, post 16 education and training services, and careers advisers.

You can contact our data protection officer to ask us to only pass on name, address and date of birth to [data.protection@cambridgeshire.gov.uk](mailto:data.protection@cambridgeshire.gov.uk)

**Transferring data internationally**

Where we share data with an organisation that is based outside the European Economic Area, we will protect your data by following data protection law.

**Your Rights**

Parents/carers have the right to find out what personal information is held about their child and how we use it, by making a ‘**subject access request’.**

If you make a subject access request, and if we do 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 (decisions being taken by a computer or machine rather than a person)-
* Give you a copy of the information.

You may also ask us to send your personal information to another organisation electronically in certain circumstances.

If you would like to make a ‘subject request’ for personal information or your child’s educational records please contact [office@benwick.cambs.sch.uk](mailto:office@benwick.cambs.sch.uk)

**Your rights over data we hold**

You have other rights over how your personal data is used and kept safe, including the right to:

* Say that you don’t want it to be used if tis would cause, or is causing, harm or distress
* Stop it being used to send you marketing materials
* Say that you don’t want it used to make automated decisions (decisions made by a computer or machine, rather than a person)
* Have it corrected, deleted or destroyed if it is wrong, or restricted our use of it
* Claim compensation if the data protection rules are broken and this harms you in some way

**Complaints**

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we’ve done something wrong. You can make a complaint by contacting [office@benwick.cambs.sch.uk](mailto:office@benwick.cambs.sch.uk), [head@benwick.cambs.sch.uk](mailto:head@benwick.cambs.sch.uk) or Donna Flynn (Data Protection Officer) at [DPO@theictservice.org.uk](mailto:DPO@theictservice.org.uk)

If you have concerns about information we are collecting or using of your personal data. We request that you firstly raise concerns with the school or Governing Body. Alternatively, you can contact the Information Commissioners Office: [https://ico.org.uk/concerns/ Call 0303 123 1113](https://ico.org.uk/concerns/%20Call%200303%20123%201113)