****

**Benwick Primary School**

**Privacy notice for pupils**

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.

This privacy notice explains how we collect, store and use personal data about you.

We, Benwick Primary School, High Street, Benwick PE15 0XA, are the ‘data controller’ for the purposes of data protection law.

**The personal data we hold***.*

We hold some personal information about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too – like other schools, the local council and the government.

This information includes:

* Your contact details
* Your test results
* Your attendance records
* Your characteristics, like your ethnic background or any special educational needs
* Any medical conditions you have
* Details of any behaviour issues or exclusions
* Photographs or video images

**Why we collect and use this information.**

We use this data to help run the school, including:

* to support pupil learning
* to monitor and report on pupil progress
* to provide appropriate pastoral care
* to assess the quality of our services
* to comply with the law regarding data sharing
* to share data for statutory inspections and audit purposes
* to communicate with priority 1 & 2 contacts
* to provide essential information to appropriate third parties – including health, social services etc.

**Our legal basis for using this data**

We will only collect and use your information when the law allows us to.

* The Education Act (various years)
* The Education (Pupil Registration, England) Regulations
* The Schools 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-censuses-for-schools>

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

Some of the reasons listed above for collecting and using your information 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 will keep personal information about you while you are a pupil at our school. We may also keep it after you have left the 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 pupils. This policy is uploaded to our Benwick Primary School website: [www.benwick.cambs.sch.uk](http://www.benwick.cambs.sch.uk)

**Data sharing**

We do not share personal information about you with anyone outside the school without permission from you or your 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 Data Protection Law, we may share personal information about you with:

* Our local authority (Cambridgeshire County Council) <https://www.cambridgeshire.gov.uk/data-protection-and-foi/information-and-data-sharing> to meet our legal duties to share certain information with it, such as concerns about pupils’ safety and exclusions
* The Department for Education (a government department)
* Your family and representatives
* Educators and examining bodies
* Our regulator Ofsted
* Suppliers and service providers – so that they can provide the services 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, tribunals
* Professional bodies

**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 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

**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**

**How to access personal information we hold about you**

You can find out if we hold any personal information about you, and how we use it, by making a **‘subject access request’**, as long as we judge that you can properly understand your rights and what they mean.

If we do hold information about you, we will:

* Give you a description of it
* Tell you why we are holding and using it, and how long we will keep it for
* Explain where we got it from, if not from you or your parents
* Tell you who it has been, or will be, shared with
* Let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by 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 want to make an ‘subject access request’ for personal information or your educational records please contact office@benwick.cambs.sch.uk

**Your rights over your data**

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 this 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 by a person)
* Have it corrected, deleted or destroyed if it is wrong, or restrict 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, head@benwick.cambs.sch.uk or Donna Flynn Data Protection Officer at DPO@theictservice.org.uk

If you have concerns about information we are collecting or how we are using your personal data, we request that you firstly raise concerns with the school or Governing Body. Alternatively, you can contact the Information Commissioner’s Office: <https://ico.org.uk/concerns/> Call 0303 123 1113