Merton Park Primary School

How We Use Your Information

Privacy Notice for Pupils

This notice is to help parents understand **how** and **why (Merton Park Primary School)** collects your child's personal information and **what** we do with that information. It also explains the rights you have in relation to your child's information.

We are giving you this notice because you are able to exercise your child's data protection rights on their behalf. When your child is older (usually when they reach the age of 13) they will be considered mature enough to exercise their own data protection rights.

If you have any questions about this notice please talk to the Headteacher.

What is "personal information"?

Personal information is information that the School holds about your child and which identifies your child.

This includes information such as their date of birth and address as well as things like exam results, medical details and behaviour records. The School may also record your child's religion or ethnic group. CCTV, photos and video recordings of your child are also personal information.

The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors' information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)

- assessment and attainment (such as key stage 1 and phonics results and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Free school meal entitlement
- Identity management/authentication (to log into school systems)

Why does the School collect and use personal information?

We collect and use pupil information, for the following purposes:

a) to support pupil learning
b) to monitor and report on pupil attainment progress
c) to provide appropriate pastoral care
d) to execute our safeguarding responsibilities
e) to assess the quality of our services
f) to keep children safe (food allergies, or emergency contact details)
g) to meet the duties placed upon us for the Department for Education (DfE) data collections
h) to support our local authority with planning future provision

We set out below examples of the different ways in which we use personal information and where this personal information comes from. Our primary reason for using your child's information is to provide your child with an education.

The admissions forms which you complete give us personal information about your child. We get information from your child, their teachers and other pupils. Your child's previous school also gives us information about your child if we need this to teach and care for them.

Sometimes we get information from your child's doctor and other professionals where we need this to look after your child.

We collect this information to help the School run properly, safely and to let others know what we do here. Here are some examples:

- We need to tell all appropriate members of staff if your child is allergic to something or might need extra help with some tasks.
- We may need to share information about your child's health and wellbeing with the School Nurse or counsellor.
- We may use CCTV to make sure the school sites are safe. CCTV is not used in private areas such as changing rooms. CCTV policy is available on request.
- We may need to report some of your child's information to the government. For example, we may need to tell the local authority that your child attends our school or let them know if we have any concerns about your child's welfare.

- We may need information about any court orders or criminal petitions which relate to your child. This is so that we can safeguard your child's welfare and wellbeing and the other pupils at the school.
- If your child is from another country, we have to make sure that they have the right to study in the UK. We might have to provide their information to UK Visas and Immigration.
- Depending on where your child will go when they leave us we may need to provide their information to other schools. For example, we may share information about your child's results and provide references. We may need to pass on information, which they need to look after your child.
- We may need to share information with the police or our legal advisers if something goes wrong or to help with an inquiry. For example, if one of your child's classmates is injured at school or if there is a burglary.
- Occasionally we may use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the School properly. We might need to share your child's information with them if this is relevant to their work.
- If your child have misbehaved in a serious way, and the police have become involved, we may need to use information about the action taken by the police.
- We may share some information with our insurance company to make sure that we have the insurance cover that we need.
- We may share your child's academic and (where fair) their behaviour records with you or their education guardian so you can support their schooling.
- We will only share your child's information with other people and organisations when we have a good reason to do so. In exceptional circumstances, we may need to share it more widely than we would normally.
- We will monitor your child's use of email, the internet and mobile electronic devices e.g. iPads. This is to check that your child is not misbehaving when using this technology or putting themselves at risk of harm. If you would like more information about this you can read the acceptable use of IT and email policy or speak to your child's class teacher.
- We employ a system that decrypts and inspects HTTPS web traffic within our network to enhance online safety and ensure compliance with safeguarding regulations. This process helps prevent access to harmful content and maintains a secure online learning environment. Personal identifiers and usage data are processed for this purpose, and data security measures are rigorously maintained.
- We may use photographs or videos of your child for our websites and social media sites or prospectus to show prospective pupils what we do here and to advertise the school. We may continue to use these photographs and videos after your child has left the school.
- Sometimes we use photographs and videos for teaching purposes, for example, to record a drama lesson. If you have any concerns about us using photographs or videos of your child please speak to your child's class teacher.
- We publish our public exam results, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing.
- We sometimes use contractors to handle personal information on our behalf. The following are examples:

- IT consultants who might access information about your child when checking the security of our IT network; and
- We use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the school site.

If you have any concerns about the above, please speak to child's class teacher.

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

Public interest

This means that the processing of your child's data is necessary for public interest. The School relies on public interest for most of the ways in which it uses your child's information.

Specifically, the School has a public interest in:

- Providing your child with an education.
- Safeguarding and promoting your child's welfare and the welfare of other children.
- Promoting the objectives and interests of the School.
- Facilitating the efficient operation of the School.
- Ensuring that all relevant legal obligations of the School are complied with.

If you object to us using your child's information where we are relying on our public interests as explained above please speak to <*the Headteacher*>.

Legal obligation

Where the School needs to use your child's information in order to comply with a legal obligation, for example to report a concern about your child's wellbeing to Children's Services, we may also have to disclose your child's information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Legitimate interest

Personal data may be processed on the basis that the school has a legitimate interest in processing that data, provided that such legitimate interest is not overridden by the rights or freedoms of the child.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

Vital interests

To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

Legal claims

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.

Consent

We may ask for your consent to use your child's information in certain ways. If we ask for your consent to use your child's personal information you can take back this consent at any time. Any use of your child's information before you withdraw your consent remains valid. Please speak to your child's class teacher if you would like to withdraw any consent given.

Collecting pupil information

The admissions forms which you complete give us personal information about your child. We get information from your child, their teachers and other pupils. Your child's previous school also gives us information about your child if we need this to teach and care for them.

Sometimes we get information from your child's doctor and other professionals where we need this to look after your child.

Pupil data is essential for the school's 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.

Storing pupil data

We keep your child's information for as long as we need to in order to educate and look after them. We will keep certain information after your child has left school.

In exceptional circumstances, we may keep your child's information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

We hold pupil data securely for the set amount of time shown in our data retention schedule. Please contact the school office for more information on our data retention schedule and how we keep your data safe.

Who do we share pupil information with?

We routinely share pupil information with:

- Schools that the pupils attend after leaving us
- The NHS
- Public Health England
- School Nurse Team
- The Department for Education (DfE).
- Our local authority. We are required to share information about our pupils with our local authority under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Why we regularly 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.

Department for Education (DfE)

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:

- section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (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. For privacy information on the data the Department for Education collects and uses, please see: https://www.gov.uk/government/publications/privacy-information-early-years-foundation-stage-to-key-stage-3

and

https://www.gov.uk/government/publications/privacy-information-key-stage-4-and-5-and-adult-education

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

Requesting access to your personal data

The UK-GDPR gives parents and pupils certain rights about how their information is collected and used. To make a request for your personal information, or be given access to your child's educational record, contact **Mr Andrew Knox (Headteacher)**

You also have the following rights:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'.
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request.
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- the right to ask us to delete your personal information – this is called 'right to erasure'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'.

- the ‘right to object to processing’ of your information, in certain circumstances
- rights in relation to automated decision making and profiling.
- the right to withdraw consent at any time (where relevant).
- the right to complain to the Information Commissioner if you feel we have not used your information in the right way.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don’t haven’t the right to object, but you have the right to withdraw consent.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner’s Office at raise a concern with ICO.

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the ‘How Government uses your data’ section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting Andrew Knox (Headteacher)

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 on **15.11.24**

Contact

If you would like to discuss anything in this privacy notice, please contact: Laure Miller (SBM)

How Government uses your data

The pupil data that we lawfully share with the Department for Education (DfE) through data collections:

- **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 (DfE) (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 (DfE) and contains information about pupils in schools in England. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

The data in the NPD is provided as part of the operation of the education system and is used for research and statistical purposes to improve, and promote, the education and well-being of children in England.

The evidence and data provide DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education.

To find out more about the NPD, go to https://www.gov.uk/government/publications/national-pupil-database-npd-privacy-notice/national-pupil-database-npd-privacy-notice

Sharing by the Department for Education (DfE)

DfE will only share pupils' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, the law allows the Department for Education (DfE) 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 for Education's (DfE) 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 the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) 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/dfe-external-data-shares

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the UK GDPR, you are entitled to ask the Department for Education (DfE):

- 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 for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

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

or

https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights

To contact the Department for Education (DfE): https://www.gov.uk/contact-dfe