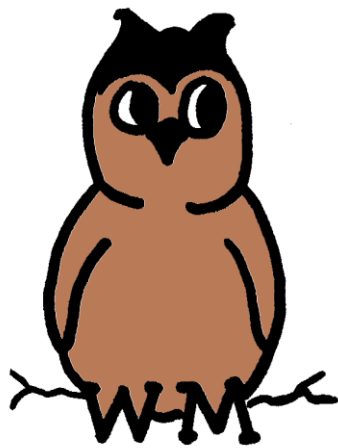


**White Mere Community
Primary School**



**Data Protection Privacy
Notice
2024**

Privacy Notice (How we use pupil 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)
- attendance information (such as sessions attended, punctuality, number of absences and reasons for absences)
- assessment information (such as phonics results, data scores, tracking plus internal and external testing data)
- special educational needs (such as Education Health Care Plans)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- photographs (for internal safeguarding and security purposes, school newsletters, media and promotional purposes)
- payment details (for cashless lunch money, extra-curricular clubs and educational visits)
- catering and free school meal management
- educational visits and activities (such as register information, first aid provision and risk assessment management)

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.

Why we collect and use pupil 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 assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us for the Department for Education (DfE) data collections

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*

In addition, concerning any special category data off [UK GDPR - Article 9](#)

Collecting pupil information

We collect pupil information via **registration forms at the start of the school year or Common Transfer File (CTF) or 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.

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 polices can be found on our website or by contacting the school office.

We hold pupil data whilst your child remains at White Mere Community 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 they have 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 White Mere Community Primary School can be found in the Disposal of Records Schedule, which is accessible via the school website, or by contacting the school office.

Who we share pupil information with

We routinely share pupil information with:

- 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, (including the school insurance provider)
- 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 UK, we will do so in accordance with UK data protection law. When transferring personal information outside the UK, we will:

- include the standard contractual data protection clauses approved by the European Commission for transferring personal information outside the UK 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 legal framework in the country in which your personal information will be handled has been assessed as providing adequate protection for individuals' rights and freedoms for their personal data by the UK Government.

You can find out further information about the rules on data transfers outside the UK, including the mechanisms that we rely upon, on the website of the UK Information Commissioner's Office <https://ico.org.uk/>

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.

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.

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>

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 the school office.

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 have 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.

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 in November 2024.

Contact

If you would like to discuss anything in this privacy notice, please contact: **the Headteacher, White Mere Community Primary School, 0191 4385008, whitemere@gatedu.org**.

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>