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**Privacy Notice for Parents and Pupils – How we use your information**

**2024/25**

**Who are we?**

Newburgh Primary School is the ‘data controller’. This means we are responsible for how your personal information is processed and for what purposes.

Newburgh Primary School is registered as the Data Controller with the Information Commissioner’s Office (ICO); Registration Number: Z9878915

You can contact the Data Controller in writing at:

Newburgh Primary School, Kipling Avenue, Warwick, CV34 6LD or [admin2325@welearn365.com](file:///\\NPS2325-FS\AdminShared\Documents\Data%20Protection\admin2325@welearn365.com)

**What is a Privacy Notice?**

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

**What is Personal Information?**

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller’s possession or likely to come into such possession.

‘Special category’ personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or 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.

**What personal information do we process about pupils and parents?**

The pupil and parent information that we collect, hold and share includes:

* Personal information including a pupil’s name, date of birth, unique pupil number and home address
* Characteristics such as ethnicity, language, nationality, country of birth and free school meal eligibility
* Attendance information such as sessions attended, number of absences and absence reasons.
* Educational information including records of work, assessment results, relevant medical information, details of pupils’ special educational needs, exclusions/behavioural information, post-16 learning information.
* Contact information for parents, carers and other relatives, including telephone numbers, home addresses and e-mail addresses.
* Information about a child’s home life, where required as part of necessary safeguarding and welfare processes.

**Why do we use personal information?**

We use pupil data:

* 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 safeguard pupils
* to share medical information with public health agencies
* to keep the school community safe and well

**Collecting pupil information**

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

**What are the legal reasons for us to process your personal information?**

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

**1) To comply with the law**

We collect and use general purpose pupil information in order to meet certain legal requirements and legal obligations placed upon the Academy Trust by law. We therefore are required to this process personal information for such purposes even if you have not consented to us doing so.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact us in writing.

**2) To protect someone’s vital interests**

We are able to process personal information when there is an emergency and/or where a person’s life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

**3) With the consent of the individual to whom that information ‘belongs’**

Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

**4) To perform a public task**

It is a day-to-day function of Newburgh Primary School to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that pupils are properly educated and supported

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

In certain circumstances, an individual has the right to object to any processing where it is likely to cause harm or distress. To exercise this right, individuals should do so by contacting the school to inform them of their reason for objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, the school will consider the reasons for the objection and balance this against the legitimate grounds to process data.

Special category personal information

In order to process ‘special category’ data, we must be able to demonstrate how the law allows us to do so. In additional to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

1. Explicit consent of the data subject
2. Processing relates to personal data which is manifestly made public by the data subject
3. Necessary for establishing, exercising or defending legal claims
4. Necessary for reasons of substantial public interest
5. Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
6. Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of special category personal information data that we process is set out in the tables attached.

**Who might we share your information with?**

We routinely share pupil information with:

* our local authority
* the Department for Education (DfE)
* schools that the pupils attend after leaving us
* Newburgh Primary School staff
* Police
* Compass
* South Warwickshire NHS Trust
* Warwickshire Music
* Snowford Grange Counselling
* eSchools
* SIMS
* ParentPay
* Google Classroom
* Third Space Learning
* Connex
* NELI
* Local Public Health team & other public health agencies
* Wonde – Evolve
* Maths Circle – Timestable Rockstars
* Synergy
* Purple Mash
* Insight Tracking
* Learning with Parents

We do not share information about our pupils or parents unless the law and our policies allow us to do so.

Please refer to the tables for information about what personal information is shared with which specific third parties.

**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>.

**What do we do with your information?**

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected the school monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

**How long do we keep your information for?**

In retaining personal information, Newburgh Primary School complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the Academy Trust are required to retain the information.

A copy of those schedules can be located using the following link:

<http://irms.org.uk/page/SchoolsToolkit>

**Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

**What are your rights with respect of your personal information?**

Under data protection law, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or to have access to your child’s educational record, contact the School Data Protection Officer at Warwickshire Legal Services via email at [schooldpo@warwickshire.gov.uk](mailto:schooldpo@warwickshire.gov.uk) or alternatively;

School Data Protection Officer

Warwickshire Legal Services

Warwickshire County Council

Shire Hall

Market Square

Warwick

CV34 4RL

**\*\*Please ensure you specify which school your request relates to.**

Where the school process data for the purposes of legitimate interests or to fulfil their public task, individuals have a right to object to the processing where it is likely to cause, or is causing, harm or distress. When exercising this right, individuals should contact the school to inform them of their reasons for their objection. The school will consider the reasons for any objection and assess the risk to the individual against the purposes for the processing. In the event the school is unable to comply with an objection, we will ensure we can demonstrate compelling legitimate grounds to continue with the processing.

You also have the right to:

* object to processing of personal data that is likely to cause, or is causing, damage or distress;
* prevent processing for the purpose of direct marketing;
* object to decisions being taken by automated means;
* in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
* claim compensation for damages caused by a breach of the Data Protection regulations

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 <https://ico.org.uk/concerns/>

**Review**

The content of this Privacy Notice will be reviewed in 12 months’ time or sooner where updates are necessary.

**Table 1** – Personal information we are required to process to comply with the law:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Information**  **Type** | **Relevant legislation** | **Special Category– additional lawful reason** | **Third Parties with whom we share the information** | **Lawful reason for sharing** |
| Special Education Needs Report | Children’s and Families Act 2014, section 29 & 69 |  | Local Authority | Legal Obligation |
| Special Educational Needs | Education Act 1996, section 317 |  | Local Authority | Legal Obligation |
| Attendance register | Education (Pupil Registration)(England) Regulations 2006, Regulation 4, 10, 11 ,12, 14 & 15 |  | Department of Education – school census OFSTED, Local Authority | Legal Obligation |
| Common Transfer file | Education (Pupil Registration)(England) Regulations 2005, Regulation 6 |  | Schools - pupil transfers to others schools | Legal Obligation |
| Safeguarding information | Education Act 2002, section 175  Children’s Act 1989, Section 17, 47, 83.  Children’s Act 2004, Section 11 |  | Local Authority (M.A.S.H), Warwickshire Social Services, Other schools – when pupils transfer | Legal Obligation |
| Admissions Register | Education (Pupil Registration)(England) Regulations 2006, Regulation 4, 10, 11, 14 and 15 |  | OFSTED, Local Authority | Legal Obligation |
| Curricular Record including Assessment and achievement data | Education (Pupil Information) (England)Regulations 2005, Regulation 4 & 5 (5) |  | DfE, OFSTED, Local Authority, Other Schools – when pupil transfers | Legal Obligation |
| Educational Record | Education (Pupil Information) (England)Regulations 2005, Regulation 5 and 6 |  | Parents, Local school | Legal Obligation |
| Pupil Information i.e full name, age address, year group, Unique Pupil No., Emergency contact details | Education (Information About Individual Pupils) (England) Regulations 2013, Regulation 3 and 5  Education Act 2005, section 114 |  | DfE– school census, Local Authority, Other schools – when pupil transfers  NHS / Compass School Health (School Nurse) | Legal Obligation |
| Pupil Information | Education Act 1996, section 537a |  | Secretary of State or any prescribed person for a purpose within the Act | Legal Obligation |
| School Census including pupil personal details | Education Act 1996, Sections 537 & 537A, and accompanying regulations |  | Department of Education | Legal Obligation |
| School Census - Ethnicity | Education Act 1996, Sections 537 & 537A, and accompanying regulations | Consent | Department of Education – school census | Legal Obligation |
| Exclusions | Education Act 1996, section 51A & Education Act 2002, section 51A |  | Local Authority & Ofsted, DfE – School census | Legal Obligation |
| Attendance Information / Records | Education Act 1996, section 444 |  | Local Authority | Legal Obligation |
| School Attendance Order | Education Act 1996, section 437A |  | Local Authority | Legal Obligation |
| Education Supervision Orders | Children’s Act 1989, section 36 |  | Local Authority | Legal Obligation |
| Accident Records | Reporting of Injuries, Diseases & Dangerous occurrences regulations 2013 (RIDDOR) |  | Health & Safety Executive / Local Authority | Legal Obligation |
| Suitable Education – Not received due to illness/exclusion | Education Act 1996, section 19 |  | Local Authority | Legal Obligation |
| Suitable Education – Not received for any other reason | Education Act 1996, section 436A |  | Local Authority | Legal Obligation |
| Qualifying Complaint Information | Education Act 2005, section 11B |  | Chief Inspector | Legal Obligation |

**Table 2** – Personal information we are required to process as it is necessary to protect someone’s vital interests

|  |  |  |  |
| --- | --- | --- | --- |
| **Information**  **Type** | **Special Category - additional lawful reason** | **Third Parties with whom we share the information** | **Lawful reason for sharing** |
| Medical Information | Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent.  Necessary for preventative/ occupational medicine | Medical staff i.e. paramedics/ambulance,/Red Ridge Holidays Ltd, Boundless Outdoors – Residential Trip Instructors, Other schools – when pupil transfers | Protection of Vital Interest |
| Pupil Dietary Requirement (including allergies & food intolerances) | Necessary for preventative/ occupational medicine | Medical staff i.e. paramedics/ambulance, Educaterers Ltd – Catering Staff, Red Ridge Holidays Ltd, Boundless Outdoors – Residential Trip Caterers, Other schools- when pupil transfers | Protection of Vital Interest |
| Medical Conditions & Pupil Emergency Contact Details | Necessary for preventative/ occupational medicine | Medical staff i.e. paramedics/ambulance,Extra-Curricular External Sport Providers- Premier Active, PTA members running organised events where | Protection of Vital Interest |
| Religious belief | Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent’ | Medical staff i.e. paramedics/ambulance | Protection of Vital Interest |

**Table 3 -** Personal information we are required to process with the consent of the individual to whom that information ‘belongs’

|  |  |  |  |
| --- | --- | --- | --- |
| **Information Type** | **Special Category - additional lawful reason** | **Third Parties with whom we share the information** | **Lawful reason for sharing** |
| Pupil Images | Parental Consent | Local Press/Media, Parents & Community (Newsletter, School Website, Twitter, Annual Prospectus, Internal school displays, Pupils project work), School Photographer (Professional School Portraits Limited, Robin Woolgar Photography). | Consent |
| Parental Email address and telephone number | Parental Consent | eSchools message service. Wonde. LA FSM data for Grant Schemes. | Consent |
| Pupil Information i.e name, D.O.B, year group | Parental Consent | Maths Circle Ltd (Times table rock stars), School Photographer (Professional School Portraits Limited & Robin Woolgar Photography). | Consent |
| Medical Conditions & Pupil Emergency Contact Details | Parental Consent | Extra-Curricular External Sport Providers- Premier Active. | Safety of children during an activity |
| Consent Forms, Permission Slips, Home School Agreements | Parental Consent | Not shared externally | N/A |

**Table 4 -** Personal information we are required to process because it is necessary to do so in order to perform a public task

|  |  |  |  |
| --- | --- | --- | --- |
| **Information Type** | **Special Category - additional lawful reason** | **Third Parties with whom we share the information** | **Lawful reason for sharing** |
| Pupil Information i.e name D.O.B, UPN no., address, Parent details, Emergency contact details |  | Department of Education – school census. Other schools – when pupils transfers | Public Task & Legal Obligation |
| Pupil Information – Name, D.O.B, Year Group, Parent contact number | Necessary for reasons of public health | Public Health and other public health agencies | Public Task |
| Academic Progress/achievement data, assessment results, Pupil Reports,  Learning journals, staff observations |  | OFSTED, DfE, Parents, NHS such as Speech and Language. LA Specialist Support Services including Educational Psychology, SIMS Capita, Insight tracking | Public Task & Legal Obligation |
| Safeguarding information, Medical, Special Education Needs, Top up Funding Information |  | Local Authority (M.A.S.H), Health, Parents, Other schools – when pupil transfer. DfE – school census | Public Task & Legal Obligation |
| Educational and Safeguarding Information used internally for the purpose of educating and protecting the welfare of children. |  | Local Authority (M.A.S.H), Warwickshire Social Services | Public Task |
| Free School Meal / Pupil Premium Eligibility |  | Department of Education – school census. Other schools – when pupil transfers | Public Task |
| Looked After Child / Adopted Child Data |  | Department of Education – school census | Public Task |
| Education History |  | Other schools – when pupil transfers | Public Task |
| Take up of School Meals (Universal Infant Free School Meals) |  | Department of Education – school census. | Public Task |
| Participation in Extra Curricular Academic / Sporting Activities – Attendance Registers | Consent | Extra-Curricular External Sport Providers – Premier Active, PTA members running organised events | Public Task |
| Behaviour Incidents / Reports |  | Local Authority | Public Task |
| Attendance Issues |  | Local Authority – Attendance Officer Audits | Public Task |
| Accident Reports |  | Local Authority Health & Safety Team (where necessary), Health & Safety Executive -RIDDOR (Reporting of Injuries, Diseases & Dangerous occurrences regulations 2013 | Public Task |
| Individual Pupil/Parents – Health & Safety Risk Assessments and Personal Emergency Evacuation Plans (PEEPs) |  | Only relevant individual Pupil Risk Assessments may be shared with Red Ridge Holidays Ltd, Boundless Outdoors (Residential Trips) Instructors/coaches, Extra-curricular external sport providers – Premier Active, Supply Teachers from Agencies. | Public Task |
| Records of Interventions |  | LA Specialist Support Service – where necessary | Public Task |
| Consent Forms/ Permission Slips/ Home School Agreements / Music Tuition Contracts | Parental Consent | Not shared externally | Public Task |
| Reading Quiz Scores / Maths Scores | Parental Consent | Maths Circle Ltd (Timestable Rockstars) | Consent |
| Parental Information ie. Name, telephone number and email address linked to pupil’s name and year group |  | Parent Pay Online Payment System & eSchools communication system, Learning with Parents digital reading log | Public Task |
| Activity/Meal Payments, debts incurred |  | Payments not shared externally. Bad debts may be referred to LA legal team where schools debt recovery policy has failed | Public Task |