



Privacy Notice for Parents and Pupils - How we use your information

2023/24

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

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 addition 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

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 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.,	Education (Information About Individual Pupils) (England) Regulations 2013, Regulation 3 and 5 Education Act 2005, section		DfE– school census, Local Authority, Other schools – when pupil transfers NHS / Compass	Legal Obligation

Emergency contact details	114		School Health (School Nurse)	
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 –	Protection of Vital Interest

		Residential Trip Caterers, Other schools- when pupil transfers	
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	Third Parties with whom we share the	Lawful reason for sharing
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	reason	information	
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	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