

# Privacy Notice



## **Acorns GDPR privacy notice for pupils and their families**

### **Who processes your information?**

Acorns Primary School is the data controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed. Gail Beaton, the school's Head Teacher acts as a representative for the school with regard to its data controller responsibilities; she can be contacted on 01772 792681 or [head@acorns.lancs.sch.uk](mailto:head@acorns.lancs.sch.uk)

In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school outsources data to a third party processor, the same data protection standards that Acorns Primary School upholds are imposed on the processor.

**Sue Shepherd** is the data protection officer. Her role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the GDPR. The data protection officer can be contacted on 01772 792681 or [bursar@acorns.lancs.sch.uk](mailto:bursar@acorns.lancs.sch.uk)

### **Why do we collect and use your information?**

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:

1. To support pupil learning
2. To monitor and report on pupil progress
3. To provide appropriate pastoral care
4. To assess the quality of our service
5. To comply with the law regarding data sharing

### **What is the lawful basis on which we process your information?**

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

### Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:
  - (c) Processing is necessary for compliance with a legal obligation to which the controller is subject

### Article 9

1. Processing of personal data 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 shall be prohibited.
2. Paragraph 1 shall not apply if one of the following applies:
  - (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy (shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

### **What data is collected?**

The categories of pupil information that the school collects, holds and shares include the following:

- Personal information – e.g. names, pupil numbers and addresses, parental contacts
- Characteristics – e.g. ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information – e.g. number of absences and absence reasons
- Assessment information – e.g. national curriculum assessment results, progress and attainment
- Relevant medical information
- Information relating to SEND - eg EHCP's, IEP's and annual reviews
- Behavioural information – e.g. individual behaviour plans

Whilst the majority of the personal data you provide to the school is mandatory, some is provided on a voluntary basis. When collecting data, the school will inform you whether you are required to provide this data or if your consent is needed. Where consent is required, the school will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

### **How long is your data stored for?**

Personal data relating to pupils at Acorns Primary School and their families is stored in line with the school's GDPR Data Protection Policy.

In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

### **Will my information be shared?**

The school is required to share pupils' data with the DfE on a statutory basis, this includes the following:

- test and exam results, prior attainment and progression at different key stages for our pupils
- School census data including the following characteristics:
  - gender
  - ethnicity
  - first language
  - eligibility for free school meals
  - special educational needs (SEN)
  - pupil absence and exclusions

The National Pupil Database (NPD) is managed by the DfE and contains information about pupils in schools in England. Acorns Primary School is required by law to provide information about our pupils to the DfE as part of statutory data collections, such as the school census; some of this information is then stored in the NPD. The DfE may share information about our pupils from the NDP with third parties who promote the education or wellbeing of children in England by:

- Conducting research or analysis.
- Producing statistics.
- Providing information, advice or guidance.

The DfE has robust processes in place to ensure the confidentiality of any data shared from the NDP is maintained.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

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>

Acorns Primary School will not share your personal information with any third parties without your consent, unless the law allows us to do so. The school routinely shares pupils' information with:

- schools that the pupil's attend after leaving us
- our local authority (LA)
- the Department for Education (DfE)
- School Nurse
- NHS and relevant health professionals

The information that we share with these parties includes the following:

- Personal information – e.g. names, pupil numbers and addresses, parental contacts
- Characteristics – e.g. ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information – e.g. number of absences and absence reasons
- Assessment information – e.g. national curriculum assessment results, progress and attainment
- Relevant medical information
- Information relating to SEND - e.g. EHCP's, IEP's and annual reviews
- Behavioural information – e.g. individual behaviour plans

### **What are your rights?**

Parents and pupils have the following rights in relation to the processing of their personal data.

You have the right to:

- Be informed about how Acorns Primary School uses your personal data.
- Request access to the personal data that Acorns Primary School holds.
- Request that your personal data is amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling reason for its continued processing.
- Request that the processing of your data is restricted.
- Object to your personal data being processed.

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

If you have a concern about the way Acorns Primary School and/or the DfE is collecting or using your personal data, you can raise a concern with the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.

### **Where can you find out more information?**

If you would like to find out more information about how we and/or the DfE collect, use and store your personal data, please visit our website [www.acorns.lancs.sch.uk](http://www.acorns.lancs.sch.uk) or download our [GDPR Data Protection Policy](#).

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Reviewed in February 2020

**ACORNS FAMILY PRIVACY NOTICE DECLARATION**

Dear Parent/Guardian

As part of our compliance with the General Data Protection Regulations, it is necessary to make you aware of our Family Privacy Notice and how we use the data you provide us with. This Privacy Notice can be located on our school website under the About Us section and in General Policies. Alternatively, a copy is available in the school office.

Please could you read through this privacy notice and then sign the declaration of consent below. This consent form needs to be returned to school in order to comply with these legal requirements.

Thank you for your help with this matter

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**Declaration**

I declare that I understand:

- Acorns Primary School has a legal and legitimate interest to collect and process my personal data in order to meet statutory requirements.
- How my data is used.
- Acorns Primary School may share my data with the DfE, and subsequently the LA.
- Acorns Primary School will not share my data to any other third parties without my consent, unless the law requires the school to do so.
- Acorns Primary School will always ask for explicit consent where this is required, and I must provide this consent if I agree to the data being processed.
- My data is retained in line with the school's GDPR Data Protection Policy.
- My rights to the processing of my personal data.



- Where I can find out more information about the processing of my personal data.

**Child Name:**

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**Parent/Guardian Name:**

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**Signature:**

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**Date:**

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