



Privacy Notice for Pupils 2024

Through Christ we believe, inspire, achieve.

Completed by: Fiona Delaney
Last Updated: 20th June 2024
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Next Updated: June 2025

1. Rationale

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils at our school**.

We, English Martyrs Catholic Primary, School Lane, Liverpool, L21 7LX, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Mairead O'Neill Dowell (see 'Contact us' below).

2. Equal Opportunities

Inclusion is at the centre of everything we do at English Martyrs. We recognise the varying needs of all our learners, staff, governors and visitors and so differentiate where necessary and as appropriate. Equal opportunities will be given to all children, staff, governors and visitors in respect of:

- Race
- Gender
- Culture
- Special Educational Needs

3. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

We may also collect, use, store and share (when appropriate) information about your child that falls into 'special categories' of more sensitive personal data. This includes, but is not restricted to, information about:

- Any medical conditions we need to be aware of, including physical and mental health
- Photographs and CCTV images captures in school
- Characteristics, such as ethnic background or special educational needs

We may also hold data about your child that we have received from other organisations, including other schools and social services.

4. Why we use this data

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing
- Get in touch with parents and carers when we need to
- Look after your wellbeing
- Make sure our computers and other school systems and equipment are used appropriately, legally and safely

5. How we use this data

5.1. Use of Child's personal data for marketing purposes

Where you have given us consent to do so, we may send information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to them.

You can withdraw consent or 'opt' out of receiving these emails and/or texts at any time by contacting the main school office.

5.2 Use of your child's personal data in automated decision making

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

5.3 Use of your personal data for filtering and monitoring purposes

While you're in school, we monitor what materials you access on our computers and other IT and communications systems. We do this so that we can:

- Comply with health and safety law and other laws
- Comply with our policies (e.g child protections policy, E-safety etc)
- Keep our network(s) and devices safe from people who aren't allowed to access them and prevent harmful software from damaging our network(s)
- Protect your welfare

6. Basis for using data

6.1 Our legal basis for using this data

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

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.

6.2 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your child's personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e protect your child's life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons and the processing is done by or under the direction of a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes or for statistical purposes and the processing is in the public interest
- We need to use it to make or defend against legal claims

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e protect your child's life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

7. Collecting Information

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

Most of the data we hold about your child will come from you, but we may also hold data about your child from:

- Local authorities
- Government departments or agencies
- Police forces, court, tribunals

8. How we store this data

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary. Our Retention of Records Policy sets out how long we keep information about pupils. A copy of this policy is available on request from the School by emailing:

admin@englishmartyrs.co.uk

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, changed or disclosed (given or told to someone else).

We'll dispose of your personal data securely when we no longer need it.

9. Data sharing

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- *Our local authority – to meet our legal obligation to share certain information with it, such as safe safeguarding concerns, exclusions etc*
- *Government departments or agencies– to meet our legal obligation to share certain statutory information with it, such as termly pupil census*
- *The pupil's family and representatives – to meet our legal obligation to ensure the safeguarding of children*
- *OFSTED – to meet our legal obligation to share statutory information with it*
- *Suppliers and service providers - to enable them to provide the service we have contracted them for e.g, Sefton Active Aquatics for swimming lessons.*
- *Health authorities, School nurses and social welfare organisations – to enable them to provide the service and to ensure the safeguarding of children.*
- *Professional advisers, consultants and other professional bodies – to enable them to provide the service we have contracted them for e.g Liverpool ArchDiocese for School Improvement Advisory Service.*
- *Charities and voluntary organisations – to enable them to provide the service we have contracted them for e.g Friends of English Martyrs PTA*
- *Police forces, courts, tribunals – to meet our legal obligation to share certain information with them to ensure the safeguarding of children*

10. National Pupil Database

We are required to provide information about pupils to the Department for Education, as part of statutory data collections such as the school census and early year's census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

11. Transferring data internationally

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

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

12. Parents and pupils' rights regarding personal data

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact us.

Parents/carers also have a legal right to access to their child's **educational record** by contacting our data protection officer (see 'Contact Us' below).

13. Your rights to access your child's education record

Parents, or those with parental responsibility, also have the right to access their child's educational record (which includes most information about a pupil). This right applies as long as the pupil is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced. To make a request please contact us.

14. Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to and challenge decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- In certain circumstances to be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us.

Parents also have the right to opt out where consent has previously been given. If you would like further information please contact us.

15. Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact us in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

16. Contact Us

Our **data protection officer** is:

Mairead O'Neill Dowell
Data Protection Officer
English Martyrs Catholic Primary School
School Lane
Liverpool
L21 7LX
Tel: 0151 928 5601
Email: data@englishmartyrs.co.uk

However, our data protection lead has day-to-day responsibility for data protection issues in our school. If you have any questions, concerns or would like more information about anything mentioned in this privacy notice please contact them.

Our **data protection lead is:**

Fiona Delaney

English Martyrs Catholic Primary School

School Lane

Liverpool

L21 7LX

Tel: 0151 928 5601

Email: delaneyf@englishmartyrs.co.uk

17. Monitoring of the Policy

This policy will be monitored annually in line with the 'School Policy Review Chart' or as and when government legislation is updated. Changes will be reported to the Full Governing Body for approval.