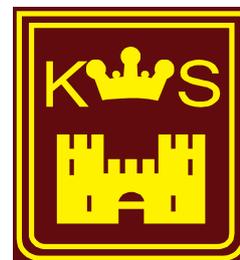


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PRIVACY NOTICE FOR PARENTS/CARERS OF CHILDREN ATTENDING KENILWORTH PRIMARY SCHOOL

Kenilworth Primary School collects data and information about our children and parents/carers so that we can operate effectively as a School. This privacy notice explains how and why we collect children and parents/carers' data, what we do with it and what rights children and parents/carers have.

The term "parent" is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the child, with whom the child lives or whether the child has contact with that parent), and also includes non-parents who have parental responsibility for the child, or with whom the child lives. It is therefore possible for a child to have several "parents" for the purposes of education law. This privacy notice also covers other members of childrens' families who we may process data about from time to time, including, for example, siblings, aunts and uncles and grandparents.

Privacy Notice (How we use children and parents/carers information)

We are a Hertfordshire LA maintained school and as such we collect and hold personal information relating to our children and parents/carers and may also receive information about them from their previous setting, local authority and / or the Department of Education (DfE). We use this personal data to:

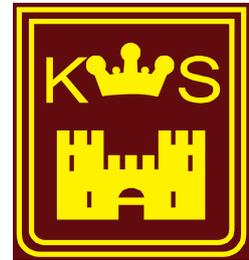
- support our children's learning
- monitor and report on their progress
- provide appropriate pastoral care
- assess the quality of our services

This information will include their contact details, educational data, attendance information, any exclusion information, where they go after they leave us and personal characteristics such as their ethnic group, languages spoken, any special educational needs they may have as well as relevant medical information.

We will not give information about our children and parents/carers to anyone without your consent unless the law and our policies allow us to do so.



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Our Data Protection Officer is Mr. Anil Mevani and our Deputy Data Protection Officer is Mrs Dawn Moore, the school Business Manager. If you have any queries about this privacy notice, please contact Mrs Moore on Tel: 0208 953 3459 or e mail at dpo@kenilworth.herts.sch.uk

Why do we collect and use children and parents/carers information?

We are required, by law, to pass certain information about our children and parents/carers to the local authority (LA) and the Department for Education (DfE).

DfE may also share children and parents/carers level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the Data Protection Act 1998.

Decisions on whether DfE releases this personal to third parties are subject to a robust approval process and are based on a detailed assessment of who is requesting the data, the purpose for which it is required, the level and sensitivity of data requested and the arrangements in place to store and handle the data. To be granted access to children and parents/carers level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

We collect and use children and parents/carers information under the following lawful bases:

- a. where we have the consent of the data subject (Article 6 (a));
- b. where it is necessary for compliance with a legal obligation (Article 6 (c));
- c. where processing is necessary to protect the vital interests of the data subject or another person (Article 6(d));
- d. where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6 (e)).

Where the personal data we collect about children and parents/carers is sensitive personal data, we will only process it where:

- a. we have explicit consent;



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- b. processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and / or
- c. processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, where we 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.

Please see our Data Protection Policy for a definition of sensitive personal data. We use the children and parents / carers data to support our functions of running the School, in particular:

- a. to support children's learning;
- b. to monitor and report on children's progress;
- c. to provide appropriate pastoral care;
- d. to assess the quality of our services;
- e. to comply with the law regarding data sharing;
- f. for the protection and welfare of children and others in the school, including our safeguarding / child protection obligations;
- g. for the safe and orderly running of the school;
- h. to promote the school;
- i. to communicate with parents / carers;
- j. in order to respond to investigations from our regulators or to respond to complaints raised by our stakeholders;
- k. in connection with any legal proceedings threatened or commenced against the Centre.

We are also required by law to pass information for data collection purposes to the DfE (Department of Education) as part of the school census. The school census is a statutory census that takes place during the autumn, spring and summer terms. The census collects information about children and the schools themselves.

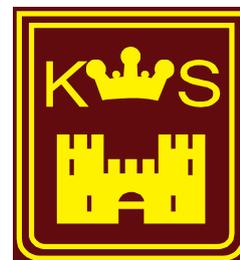
The following schools take part in the census:

All local-authority-maintained schools, including;

- nursery schools
- primary schools, including middle-deemed-primary schools
- secondary schools, including middle-deemed-secondary schools
- special schools (for children with special educational needs or disabilities), including hospital schools



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- pupil referral units (PRUs- for children who cannot go to a mainstream school)
- community, foundation, voluntary-aided and voluntary-controlled schools

More information can be found at <http://www.gov.uk/education/data-collection-and-censuses-for-schools>

The categories of children and parents / carers information that we collect, hold and share include:

- a. Personal information (such as name, date of birth, address, unique pupil number, telephone number and email address);
- b. Characteristics (such as ethnicity, language, medical conditions, nationality, country of birth, free school meal / pupil premium eligibility, and information about court orders in place affecting parenting arrangements for children);
- c. Attendance information (such as sessions attended, number of absences and absence reasons)
- d. Legal (such as Court Orders / Adoption, Child Protection and Safeguarding information)
- e. SEN (EHC plans and supporting documents and interventions)
- f. Assessment Information (age-related attainment in line with EYFS progress information)

From time to time and in certain circumstances, we might also process personal data about children, some of which might be sensitive personal data, information about criminal proceedings / convictions or information about child protection / safeguarding. This information is not routinely collected about children and is only likely to be processed by the school in specific circumstances relating to particular children, for example, if a child protection issue arises or if a child is involved in a criminal matter. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

We collect information about children and parents/carers when they join the school and update it during their time on roll as and when new information is acquired.



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Collecting children and parents/carers information

Whilst the majority of information about children and parents/carers provided 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 child information to us or if you have a choice in this. Where appropriate, we will ask parents/carers for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to use photos or images of children on our website to promote school activities. Parents / carers may withdraw consent given in these circumstances at any time.

Storing children and parents/carers data

A significant amount of personal data is stored electronically, for example, on our database, Arbor. Some information may also be stored in hard copy format in a locked cupboard.

Data stored electronically is saved on a cloud based system. We also store and archive records following IRMS guidelines (Information Records Management Systems) adhering to relevant retention periods.

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, insurance or reporting requirements. Details of retention periods for different aspects of your personal information are available in our data retention policy. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a parent / carer we will retain and securely destroy your personal information in accordance with our data retention policy.

Who do we share children and parents/carers information with?

We routinely share children's information with:

- schools that children attend after leaving us;



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- our local authority Hertfordshire County Council;
- a child's home local authority (if different);
- the Department of Education (DfE);
- Parent Communication Systems
- Hertfordshire Catering
- Anonymised data with the Governing Body

From time to time, we may also share children's information other third parties including the following:

- the Police and law enforcement agencies;
- NHS health professionals including educational psychologists,
- Education Welfare Officers;
- Social Workers
- Courts, if ordered to do so;
- Prevent teams in accordance with the Prevent Duty on schools;
- other schools if we have your consent to share information in these circumstances;
- LADO for example, if we are seeking advice about incidents between a staff member and a child;
- CAFCASS (The Children and Family Court Advisory and Support Service) to help support the welfare of children and families involved in family court proceedings;
- Prevent Panel (regarding concerns about possible radicalisation);
- our legal advisors;
- our insurance providers;

Some of the organisations referred to above may also be Data Controllers in their own right in which case we will be joint controllers of your personal data and may be jointly liable in the event of any data breaches.

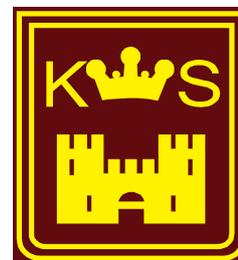
In the event that we share personal data about children with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

Why we share children and parents / carers information

We do not share information about our children with anyone without consent unless the law allows us to do so.



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We share childrens' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our children with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information about Individual Children) (England) Regulations 2013.

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>.

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about children in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our children to the DfE as part of our statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information about Individual Pupils) (England) Regulations 2013.

To find out more about the child information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our children from the NPD with third parties who promote the education or well-being of children in England by;

- conducting research or analysis
- producing statistics
- providing information, advice or guidance



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The DfE has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data;
- the purpose for which it is required;
- the level and sensitivity of data requested;
- the arrangements in place to store and handle the data.

To be granted access to child information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>.

For information about which organisations the department has provided child information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

Requesting access to your personal data

Under data protection legislation, children and parents/carers have the right to request access to information about them that we hold ("Subject Access Request"). Where a child does not have the maturity to make their own requests for personal data, parents/carers may do so on their behalf. To make a request for your child's personal data, or be given access to your child's educational record, contact Mr Anil Mevani our Data Protection Officer, e mail dpo@kenilworth.herts.sch.uk, although any written request for personal data will be treated as a Subject Access Request.

Subject to the section below, the legal timescales for the school to respond to a Subject Access Request is one calendar month. As the school has limited staff resources outside of term time, we encourage parents/carers to submit Subject Access Requests during term time and to avoid sending a request during periods when the school is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. For further information about how we handle Subject Access Requests, please see our Data



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Protection Policy.

The term “parent” is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the child, with whom the child lives or whether the child has contact with that parent), and also includes non-parents who have parental responsibility for the child, or with whom the child lives. It is therefore possible for a child to have several “parents” for the purposes of education law.

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 our data protection responsibilities.

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/>

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time.



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To withdraw your consent, please contact the School Business Manager, email: admin@kenilworth.herts.sch.uk. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Data Protection Officer

We have appointed a data protection officer (DPO), for details see below, to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO detailed below. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

Changes to this Privacy Notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

Contact:

If you would like to discuss anything in this privacy notice, please contact Mr Anil Mevani (Data Protection Officer) email: dpo@kenilworth.herts.sch.uk or please write to the school at the address above.

