



# Privacy Notice: Pupils

## How we use your child's personal data

Under data protection legislation, 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 and why we collect, store and use personal data about Pupils.

We, Cippenham Nursery School are the 'Data Controller' for the purposes of data protection law. The School is registered as a Data Controller with the Information Commissioners Office (ICO). Our registration number is **Z8629609**.

Our data protection officer is The Schools People (see 'Contact us' below).

### 1. Data Protection Principles

Personal Data must be processed following the six Data Protection Principles. It must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

### 2. Types of Pupil Information We Collect.

The categories of pupil information that we collect, process, hold, and share include but are not limited to:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as language, and free school meal eligibility)

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- special characteristics including racial or ethnic origin; religious or philosophical beliefs and health;
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors' contact information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- details of pupils who attract additional funding- e.g., Looked After Children/those who attract Pupil Premium funding/in the care of Social Services or are subject to a Special Guardianship Order;
- assessment and attainment
- behavioural information (such as exclusions and any relevant alternative provision put in place
- Any other student personal data that we will inform you of from time to time.

### 3. Collecting Pupil Personal Data

We collect Pupil personal data from:

- Application/admissions processes, including home visit forms
- Common Transfer files
- Assessment and attainment processes
- Attendance (routine register twice a day)
- Special Educational Needs and Disabilities (SEND) information
- Parent communications
- health information
- CCTV images in and around the school site for security purposes and the protection of staff, pupils and other stakeholders.

We may also hold data about pupils that we have received from other organisations, including other schools, Local Authorities and the Department for Education.

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

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

If you fail to provide certain information when requested, we may be prevented from complying with our legal obligations

### 4. Why we collect and use Pupil Information

We collect pupil information to safeguard and promote the welfare of the pupil, promote the objects and interests of the school, facilitate the efficient operation of the school and ensure that all relevant legal obligations of the school are complied with. For example, we collect data for the following purposes:

- to decide who to admit
- to administer admissions lists
- to support pupil learning
- to monitor and report on pupil attainment progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us for DfE data collections
- To carry out our legal obligations as a nursery school.

### 5. Automated Decision Making

Automated decision-making takes place when an electronic system uses personal information to make decisions without human intervention. We are permitted to use automated decision-making in limited circumstances.

We **do not** envisage that any decisions will be taken about pupils using automated means, however, we will notify you in writing if this position changes.

### 6. The Lawful Bases on which we Process Personal Data

We only collect and use personal data when the law and our policies allow us to do so. We process general personal data under:

- Article 6 (1)(a) of the GDPR. We have the consent of the data subject or a person with the lawful authority(parent/carer) to exercise consent on the data subject's behalf

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- Article 6 (1)(b) of the GDPR. The processing is necessary for a contract we have to provide your child with an education
- Article 6(1)(c) of the GDPR. The processing is necessary for us to comply with the law
- Article 6(1)(d) of the GDPR. The processing is necessary to protect the vital interests of your child or another person
- Article 6(1)(e) of the GDPR . The processing is necessary for us to perform a task in the public interest or for our official functions
- Article 6(1)(f) of the GDPR. The processing is for our legitimate interest where we are not acting in our official capacity as a Nursery School

We process special category data under:

- Article 9(2)(a) of the GDPR. The data subject has given explicit consent or a person with the lawful authority to exercise consent on the data subject's behalf
- Article 9(2)(c) of the GDPR. Processing is necessary to protect your child's vital interests or those of another person where you/they are physically or legally incapable of giving consent
- Article 9(2)(f) of the GDPR. Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
- Article 9(2)(g) of the GDPR. Processing is necessary for reasons of substantial public interest, based on domestic 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
- Article 9(2)(j) of the GDPR. Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

### 7. Consent

We may process personal information in compliance with the above lawful bases, where this is required or permitted by law and our policies.

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In limited circumstances, we may require written consent to allow us to process certain particularly sensitive data. If we do so, we will provide full details of the information that we would like and the reason we need it, so that careful consideration may be given to whether you wish to consent.

Where we rely solely on consent as the lawful basis for processing, consent may be withdrawn at any time.

### 8. Change of Purpose

We will only use personal information for the purposes for which it was collected unless we reasonably consider that we need to use it for another reason, and that reason is compatible with the original purpose.

If we need to use personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

### 9. Storage and Retention of Personal Data

A significant amount of personal data is stored electronically. Some information may also be stored as a hard copy.

All data is stored and accessed following the School's ***Data Protection Policy***

We will only retain your child's 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.

When your child is no longer a pupil at the School, we will retain and securely destroy their personal information in accordance with our **Data Retention Policy**.

### 10. CCTV

We have installed CCTV systems on our premises for the safety of staff, pupils, governors and other stakeholders, and for the prevention and detection of crime. Signs are displayed notifying you that CCTV is in operation.

All CCTV images will be retained for 25 days. After this period the images are permanently deleted unless they are required for an ongoing incident/investigation which has been identified (for example, if a crime has been observed and recorded or if the images have been retained while another subject access request is being processed). In such cases, images will be retained for as long as necessary (for example, until the conclusion of any criminal proceedings arising from the incident).

For further information, please refer to the School's **CCTV Policy**

### 11. Who do we Share Pupil Personal Data with?

We do not share information about Pupils with anyone without consent unless the law and our policies allow us to do so. We routinely share pupil information with:

- our Local Authority
- a pupil's home Local Authority (if different)
- the Department for Education (DfE) (see "How the Government Uses Your Data" below)
- Ofsted
- NHS/School Nurse Service

#### Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority under Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations (2013).

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All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current government security policy framework. For more information, please see 'How Government uses your data' section below.

### Local Authorities

We have a statutory duty under Section 14 of the Education and Skills Act 2008 to share certain information about pupils with our local authority to ensure that they can conduct their statutory duties for example under the Schools Admission Code, including conducting Fair Access Panels.

### National Pupil Database

We are required to provide information about pupils to the Department for Education as part of statutory data collection such as the school 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.

### NHS and Health Agencies

It may be necessary to share limited personal data including special category data with the NHS and their agents, or other health agencies for the purposes of national immunisation programmes and other health/wellbeing programmes under our public interest tasks as an Academy Trust and to safeguard the vital interests of pupils.

It may be necessary for us to share limited information in the event of a Pandemic. This will enable the

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agencies to liaise with families to provide advice and support and to take appropriate steps in responding to any outbreaks. In such circumstances, specific supplementary Privacy Notices will be provided.

From time to time, we may also share pupil information with:

- The pupil's family and representatives
- School Governors
- Law enforcement agencies
- NHS health professionals; educational psychologists and other health and social welfare organisations
- Education Welfare Officers
- Courts, if ordered to do so
- Prevent teams in accordance with the Prevent Duty on schools
- Other schools, for example, if we are negotiating a managed move or the pupil is moving on to another school
- Our legal advisors
- Our auditors
- Our insurance providers/ the Risk Protection Arrangement

### **Suppliers and third-party service providers**

We also share limited personal data with third-party service providers who require access to data in order to perform contracted services. These service providers include:

- Tapestry
- Groupcall
- Any other services/service providers that we will inform you of from time to time.

These third-party service providers act as data processors on the School's behalf and are required to take appropriate security measures to protect your personal information in line with our policies and data protection legislation. We authorise these service providers to use personal data only as necessary to perform services on our behalf, or to comply with legal obligations if necessary.

### 12. Transferring Data Outside the UK

We do not routinely share data with organisations outside the UK .

We will not transfer personal data outside the UK unless such transfer complies with the UK GDPR. This means that we cannot transfer any personal data outside the UK unless:

- The Secretary of State has decided that another country or international organisation ensures an adequate level of protection for personal data.
- One of the derogations in the GDPR applies (including if an individual explicitly consents to the proposed transfer).

### 13. Data Security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality.

We have in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so and in accordance with our **Data Security Policy and Breach Procedure**.

### 14. Your Data Subject Rights

Until a child reaches the age of 12, parents have the right to Pupils have the right to exercise the child data subject rights on their behalf including:

- Making a Subject Access Request (SAR) (see below)
- Withdrawing consent to the processing (see above)
- Asking us to rectify, erase or restrict processing of the child's personal data, or object to the processing of it (in certain circumstances)
- Preventing the use of your personal data for direct marketing

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- Challenging processing which has been justified on the basis of public interest
- Requesting a copy of agreements under which your personal data is transferred outside of the UK
- Objecting to decisions based solely on automated decision-making or profiling. The school **does not use** automated decision-making and/or profiling in any of its processes and procedures
- Preventing processing that is likely to cause damage or distress
- receiving notification of a data breach (in certain circumstances)
- Complaining to the ICO
- Asking for the child's personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances).

### Your Duty to Inform us of Changes

It is important that the personal information we hold about your child is accurate and current. Please keep us informed if your child's personal information changes during their time with us.

### Subject Access Requests (SAR)

Under data protection legislation, pupils have the right to request access to information about them that we hold. Personal data belongs to the data subject, and in the case of the personal data of a child regardless of their age the rights in relation to that personal data are theirs and not those of their parents. Parents, in most cases, do not have automatic rights to the personal data of their child.

However, there are circumstances where a parent can request the personal data of their child without requiring the consent of the child. This will depend on the maturity of the child and whether the School is confident that the child can understand their rights. Generally, in the UK, where a child is under 12 years of age, they are deemed not to be sufficiently mature as to understand their rights of access and a parent may request access to their personal data on their behalf. The School will then determine whether, in their opinion, the pupil is mature enough to understand their rights and act accordingly.

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If you would like to make a SAR in relation to your child's personal data, it would be helpful if you made this in writing to the School, to include:

- your name and contact address
- name and year group of the pupil
- email address and telephone number
- details of the information you require.

A helpful '**Guide to Making A Subject Access Request**' is available from the School office, or as a download from the School website. It **is not** mandatory to make a Subject Access Request using the form. It will, however, assist you in structuring your SAR to provide the information necessary to ensure we can action your request without delay.

### Fulfilling A Subject Access Request

The legal time frame for the School to respond to a Subject Access Request is one calendar month from receipt of a '**valid**' SAR.

A SAR is only considered '**valid**' when we are fully satisfied regarding the identity of the requester and their entitlement to the data requested. If in any doubt we will request confirmation of identity to ensure your personal data is not inadvertently released to a third party who is not entitled to it.

Given 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.

If the SAR is complex or numerous, the period in which we must respond may be extended by a further two months. You will be notified of any delays in actioning the SAR and provided with a timeframe in which you can expect to receive the requested data.

### Fees

You will **not** have to pay a fee to access your personal information (or to exercise any of your other data subject 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.

For further information about how we handle Subject Access Requests, please see our ***Subject Access Request Policy and Procedure***

### Exercising Other Data Subject Rights

If you wish to review, verify, correct, or request the erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the school in the first instance (details below).

### The Right to Withdraw Consent

Where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, and there is no other applicable lawful basis for processing the data, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Headteacher (details below).

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.

## **15. How to Contact Us**

If you have any questions or concerns about how we process information or wish to exercise any data protection rights, please contact the school in the first instance by emailing the headteacher using the following email address [head@cns.slough.sch.uk](mailto:head@cns.slough.sch.uk)

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If you have concerns that we are not able to resolve to your satisfaction you can contact our Data Protection Officer at the email address below.

Alternatively, you can register a concern with the UK's data protection regulator - the Information Commissioner's Office, by following this link <https://ico.org.uk/make-a-complaint/>

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Or,

Write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire.

Tel: 0303 123 1113

### School Contact Details

**Data Controller:** Cippenham Nursery School, St Andrew's Way, Cippenham, Slough, SL1 5NL.

**Data Controller's Representative:** Nisha Gill, Headteacher. Email: [head@cns.slough.sch.uk](mailto:head@cns.slough.sch.uk)

**Data Protection Officer:** Dee Whitmore. Email: [dposervice@Schoolspeople.co.uk](mailto:dposervice@Schoolspeople.co.uk)

## 16. Changes to this Privacy Notice

This Notice will be reviewed on a yearly basis or as necessary in relation to changes in Data Protection legislation.

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.

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|-----------------|---------------|
| Effective Date: | May 2018      |
| Last update:    | February 2025 |
| Review Date:    | March 2026    |

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## How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).

- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

### 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)

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

The NPD is owned and managed by the Department for Education and contains information about pupils 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.

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

### Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

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Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

### How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data, they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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