

Button Lane Primary School



Privacy Notice – Pupil's, Parents & Carers

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Button Lane Primary School

A: Button Lane, Manchester, M23 0ND

T: 0161 945 1965 | E: admin@buttonlane.manchester.sch.uk

Introduction

Button Lane Primary School is required to collect the personal data of pupils and their parents / carers to provide an education and fulfil our statutory and operational requirements as a school. Under the UK-General Data Protection Regulation (UK-GDPR), we must clearly inform our pupils and their families what data we collect, how we use it and why; this information is outlined in the following privacy notice.

Data Controller

Button Lane Primary School is the data controller for the information that we collect about you which means we make decisions on how that data is processed and are responsible for its safety and security.

Data Protection Officer

The school has appointed a DPO to oversee and monitor data protection procedures and ensure the school is compliant with the UK General Data Protection Regulation and Data Protection Act. Our DPO is Danielle Eadie of RADCaT Ltd who works alongside Mrs Cooke, School Business Manager (SBM). Any queries regarding data protection should be directed to the school office in the first instance using the following details:

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The categories of pupil information that we process

- personal identifiers and contacts such as name, unique pupil number, contact details and

- address
- characteristics such as ethnicity, language, and free school meal eligibility
- safeguarding information such as court orders and professional involvement
- special educational needs including the needs and ranking
- medical and administration such as doctor 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
- assessment and attainment information such as results, progress and reports
- behavioural information such as exclusions and any relevant alternative provision put in place
- images recorded in and around the school site on the CCTV system
- images taken as part of the curriculum and educational activities

Why we collect and use pupil information

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) to safeguard pupils
- c) to monitor and report on pupil attainment progress
- d) to provide appropriate pastoral care
- e) to assess the quality of our services
- f) to keep children safe (food allergies, or emergency contact details)
- g) to meet the statutory duties placed upon us for DfE data collections
- h) to advise of any curriculum related activities we undertake or encourage you to attend, by newsletter or email

The lawful basis for processing personal data

Under the UK-GDPR, we must have a lawful basis from Article 6 for processing personal data; personal data is any data that can identify a living individual. Button Lane Primary School relies on the following lawful bases when we process personal data relating to pupils:

- we have a **legal obligation** as an education provider to meet our statutory duties to the Local Authority and Department for Education
- to fulfil our duties as an education provider and public authority it is necessary to process personal data of pupils to perform a **public task**
- it is in our **legitimate interest** to process personal data that makes the transition from primary to secondary school more efficient
- it is in an individual's **vital interests** to share the data in emergency situations
- we have your **consent** to process personal data

Special category data

In situations where special category data is processed, Button Lane Primary School require an additional lawful basis from Article 9 of the UK-GDPR. Special category data is data that needs more protection as it is sensitive, examples include health information and religious beliefs.

For special category data processed in the day to day running of the school such as the information provided to us upon admission, we rely on one of the following conditions from article 9 of the UK-GDPR:

- Employment, social security and social protection
- it is in an individual's vital interests to share the data in emergency situations
- Legal claims or judicial acts
- Reasons of substantial public interest
- Health or social care
- Public health

If a situation arises whereby the school is required to process special category data for a new purpose outside of those associated with the school's typical operations, we may rely upon the **explicit consent** of that individual where applicable.

Where consent is the lawful basis relied upon for the processing of personal data, you have the right to withdraw your consent at any time by contacting the school office.

Along with the UK-GDPR, Button Lane Primary School comply with the following laws in relation to the processing of personal data:

Non-Special Category Data

- in relation to a contract for education with you and contained in the Education Act 1996.
- In relation to secondary education under Limitation Act 1980
- In relation to management of the school under the Education (Governor's Annual Reports) (England) (Amendment) Regulations 2002.
- In relation to School Admissions Code, Statutory guidance for admission authorities, governing bodies, local authorities, school's adjudicators and admission appeals panels December 2014
- In relation to Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013
- (Departmental Censuses) are the Education Act 1996 – this information can be found in the census guide documents on the following website <https://www.gov.uk/guidance/complete-the-school-census>

Special Category Data

- In relation to the protection of children under the "Keeping children safe in education Statutory guidance for schools and colleges 2021"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children July 2018.
- In relation to the safeguarding of children under the Safeguarding Act 2006

Collecting pupil information

Most of the personal data that we collect about pupils is provided directly by the pupil and / or their families upon admission to the school. Records for each pupil will also be transferred to us from the previous school; data is transferred securely through a using an electronic system.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the

data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

Storing pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please contact the school office.

Who we share pupil information with?

We do not routinely share information about our pupils with anyone unless the law and our policies allow us to do so. We routinely share pupil data with:

- Schools / colleges the pupil attends once leaving us
- The Local Authority
- The Department for Education
- School Nurse
- NHS
- Providers of educational resources, systems and apps

In instances where personal data is shared with external providers for educational purposes; checks will be completed to ensure those providers meet the same high data protection standards set by Button Lane Primary School giving particular attention to any of those providers that process data outside of the United Kingdom.

Why we regularly share pupil data?

Data shared between educational settings

When a pupil transitions between educational settings such as from primary to secondary school, their pupil record moves with them; this is a legal obligation placed on the school to allow each setting to adequately provide an education and support to pupils. Any transfers completed between educational settings are carried out using secure file transfer systems including the DfE's school to school system (S2S) and the Child Protection Online Monitoring and Safeguarding system (CPOMs).

Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections.

The National Pupil Database (NPD) is owned and managed by the DfE 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.

We are required by law, to provide information about our Students to the DfE as part of statutory data collections; the school census is an example of when we share data. 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 NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The DfE may share information about our pupils 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

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. 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](#).

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: and
- the arrangements in place to store and handle the data

To be granted access to Student 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 pupil 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 and your rights

Under data protection legislations, parents and pupils have the right to request access to the personal data that the school holds about them. You have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e., permitting its storage but no further processing)

- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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

- object to the use of personal data if it would cause, or is causing, damage or distress
- object to the use of your personal data for 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
- claim compensation for damages caused by a breach of the data protection regulations

To make a request, please contact the school office in the first instance using the following details:

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The school office along with the Data Protection Officer (DPO) will support you with your request; a response will be provided within one calendar month. The school has a legal right to extend this period by a further two months for any requests deemed excessive, we will however inform you of our intentions to extend the response time within one calendar month.

Complaints

If you have any concerns at all about how we process your personal data, please contact us in the first instance so that we can help resolve any issues.

You can also complain to the Information Commissioners Office (ICO) if you are unhappy with how we have used your data:

Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline: 0303 123 1113

Website: <https://www.ico.org.uk>