



## St Mary's C of E Primary

### Privacy Notice: Pupils (How we use your child's personal data)

As part of the Manchester Diocese family, we promote Jesus' promise from John 10:10  
*'life in all it's fullness' (John 10:10)*

Our vision at St Mary's is rooted in Ephesians (3:17-19)

"I pray that you would be rooted and established in love.....Filled to the measure of the fullness of God"  
Everything we do here at St Mary's is done in and through love. We are a big family, all our children know and love each other. The families are all loved and valued as part of the St Mary's family.

At St Mary's we hold six values as our 'root' values, they are Love, Joy, Hope, Friendship, Trust and Faith. We have twelve 'branching values' that are paired with a root value on a two-year rolling programme, they are: Thankfulness, Wisdom, Perseverance, Justice, Service, Truthfulness, Generosity, Compassion, Courage, Forgiveness, Responsibility and Respect.

Under data protection law, individuals have a right to be informed about how St Mary's CE Primary School (thereafter '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 relating to your child

The 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).

### **Types of Data We Collect**

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

- personal Identifiers (such as name, unique pupil number, contact details, contact preferences, and date of birth)
- emergency contact and family lifestyle information such as names, relationships, phone numbers and email addresses
- performance and assessment data
- pupil and curricular records
- characteristics, such as language, eligibility for free school meals and Pupil Premium
- special educational needs information including the needs and ranking
- details of any support received, including care packages, plans and support providers
- behavioural information including exclusions
- attendance information (such as session attendance, number of absences, absence reasons and details of any previous schools attended)
- safeguarding information (such as court orders and professional involvement)
- Information about the use of our IT, communications and other systems, and other monitoring information
- photographs
- Any other personal data we will inform you of from time to time.

We may also collect, store and use information about your child that falls into 'special categories' of more sensitive personal data. This may include information about (where applicable):

- Nationality, ethnicity, religious or philosophical beliefs
- Disability and access requirements
- Medical information including details of any medical conditions, including physical and mental health, GP contact details, allergies, medication and dietary requirements.

### **Collecting this Data**

We collect this information from:

- the application and admissions process
- Common Transfer files
- assessment and attainment processes

- our day-to-day interactions with your child
- attendance (routine register twice a day)
- Education and health specialists
- Social Services or other agencies
- the Local Authority
- direct correspondence with the School, including messaging systems
- authorisation for trips and other enrichment activities.
- other parents and pupils.

While the majority of information we collect about your child is mandatory, there is some information that may be provided voluntarily. Whenever we seek to collect information, 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 official or legal obligations.

### **Why we Collect this Information**

We collect information to safeguard our users, promote the objectives and interests of the school, facilitate efficient operations, and ensure that all our relevant legal obligations are complied with. For example, we collect data to:

- decide who to admit and administer waiting lists
- provide education services and extra-curricular activities, monitor progress and educational needs
- inform decisions such as the funding of school
- assess performance and set targets for school
- safeguard your child's welfare and provide appropriate pastoral (and where necessary medical) care
- support teaching and learning
- enable your child to take part in assessments and to record their achievements
- carry out statistical analysis for diversity purposes
- comply with legal and regulatory purposes (for example child protection, diversity monitoring and health and safety), and other legal obligations and duties of care
- meet statutory duties placed upon us
- enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- monitor the use of the school's ICT systems
- make use of images (photos and/or videos) in school publications, on the school website, on the parent portal and on the school's social media channels, and;
- where otherwise reasonably necessary for the school's purposes, including obtaining appropriate professional advice and insurance for the school.

### **Our Lawful Basis for Using This Data**

We only collect and use personal data when the law and our policies allow us to do so. We process general category data where the processing is necessary:

- for a contract we have with you, or because it is necessary to take steps before entering into a contract with you
- for us to comply with a legal obligation.
- to protect your child's vital interest or that of another person.
- for us to perform a task in the public interest or for our official functions, and this task or function is lawful
- for our legitimate interest where the school is not acting in its official capacity

We may process special category data

- to protect your child's vital interests or those of another person where they are physically or legally incapable of giving consent
- where personal data are manifestly made public by the data subject (e.g on social media)
- for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
- 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
- for reasons of public interest in the area of public health based on domestic law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular, professional secrecy
- for archiving purposes in the public interest, scientific or historical research, or statistical purposes.

Some of the reasons listed above for collecting and using personal data overlap, and there may be several grounds that justify our use of this data.

### **Consent.**

We may process your child's personal information in compliance with the above [lawful bases](#) where this is required or permitted by law and our policies.

We will ask for consent to process personal data where there is no other lawful basis for processing it. For example, if we want to use your child's image on social media or in our marketing literature. If we do request your consent, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

Where we rely solely on consent as the lawful basis for processing, you have the right to withdraw that consent, in writing at any time. Withdrawal of consent does not affect the legitimacy of processing before consent is withdrawn.

### **Change of Purpose**

We will only use your child's 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 your personal information for an unrelated purpose, we will notify you and explain the legal basis that allows us to do so or seek your consent if necessary, before the processing begins.

### **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 Security Policy

We will only retain your child's personal information for as long as necessary to fulfil the purposes we collected it for, including satisfying any legal, accounting, insurance or reporting requirements.

### **Sharing Personal Data**

We do not share your child's information with anyone without consent *unless* the law and our policies allow us to do so. We routinely share parent/carer information with:

- The Department for Education – to meet our legal obligations eg to report on student progress
- Our local authority to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions, and to fulfil our public interest tasks such as the provision of free school meals
- A student's home Local Authority (if different)
- The Diocese
- National Student Database

## 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 3 of [The Education \(Information About Individual Pupils\) \(England\) Regulations \(2013\)](#).

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

## Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under the [Schools Admission Code](#), including conducting Fair Access Panels.

## National Pupil Database (NDP)

We are required to provide information about our pupils to the Department for Education (DfE) 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.

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

- the pupil's family and other representatives
- the Department for Education (DfE)
- Ofsted
- School Governors
- the Police and law enforcement agencies
- NHS health professionals including the school nurse, educational psychologists, etc.
- Education Welfare Officers
- Social services and other relevant partner agencies
- Courts, if ordered to do so
- Prevent teams under the Prevent Duty on schools
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances
- charities and other relevant volunteer organisations
- our legal advisors
- our auditors
- our insurance providers.

## NHS/Public Health Agencies

It may be necessary for us to share limited information with the NHS and or Public Health Agencies in the event of a Pandemic. This will enable the named 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.

### **Other third-party service providers**

We also share relevant personal data with third-party service providers and professional advisors who require access to data to perform services for us under contract.

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 a legal obligation if necessary.

### **Transferring Data Outside the UK**

We do not routinely share your child's data with organisations outside the UK. Where this may be necessary, data will be transferred with explicit consent from the parent/carer and with appropriate safeguards.

Under exceptional circumstances, we will only transfer personal data outside the UK if such transfer complies with the UK GDPR. This means that we will not 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 UK GDPR applies (including if an individual explicitly consents to the proposed transfer).

### **Data Security**

We have put in place appropriate security measures to prevent your child's 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, consultants, 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.

### **Rights of Access**

In maintained schools, parents have the right to *inspect* the child's curriculum and educational record under regulation 5 of [The Education \(Pupil Information\) \(England\) Regulations 2005](#)

Under data protection legislation, individuals have the right to request access to their personal data held by the school.

For access to data that falls outside of the educational record a parent/carer may in certain circumstances make a subject access request on the child's behalf. For more information please see [here](#).

Subject Access Requests may be made in writing or verbally. If you would like to make a SAR relating to your child's personal data, please contact the school directly and include:

- your name and home address
- Your child's name and year group
- your email address and telephone number
- details of the information required.

### **Other Data Subject Rights**

Individuals have the right to:

- withdraw consent to processing based solely on consent, at any time

- ask us to rectify, erase or restrict the processing of personal data, or object to the processing of it (in certain circumstances)
- prevent the use of personal data for direct marketing
- challenge processing which has been justified based on public interest
- request a copy of agreements under which personal data is transferred outside of the United Kingdom (where relevant)
- object to decisions based solely on automated decision-making or profiling. (The school does not use automated decision-making or profiling in any of its processing activities)
- prevent processing that is likely to cause damage or distress
- be notified of a data breach (in certain circumstances)
- make a complaint to the ICO
- ask for personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances).

For more information regarding data subject rights please see [here](#)

### **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 school directly.

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.

### **Your Duty to Inform us of Changes**

The personal information we hold about your child must be accurate and current. Please keep us informed of any changes to their personal information during their time with us.

### **Complaints**

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of your child's personal information is unfair, misleading or inappropriate, or you have any other concerns about our data processing, please raise this with us in the first instance.

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

Alternatively, you can register your concern with the UK's data protection regulator - the Information Commissioner's Office:

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

### **Contact us**

If you have any questions or concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer (see below)

**Data Controller:** St Mary's CE Primary School  
**Address:** Bolton Road, Hawkshaw BL8 4JL  
**Email:** stmaryshawkshaw@bury.gov.uk  
**Phone:** 0120488 6167

**Data Controller's Representative:** Amy Longstaff (Executive Headteacher)  
**Email:** stmaryshawkshaw@bury.gov.uk  
**Phone:** 0120488 6167

## Changes to this Privacy Notice

This Notice will be reviewed every year or as necessary in response to changes in Data Protection legislation or our processing activities. 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.

## How Government uses Pupil Personal Data

The pupil data that we lawfully share with the the Department for Education (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 SATs 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 (DfE) (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 (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 for Education (DfE).

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 for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and 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 for Education's (DfE) NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) 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 the Department for Education (DfE) holds about you**

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- 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
- for 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 for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) 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 the Department for Education (DfE): <https://www.gov.uk/contact-dfe>

Oct 26