

## Privacy Notices Updated February 2020

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## School Wide Privacy Notice

### About Personal Information and Data Protection at Torriano Primary School

Our school holds a lot of personal information – about pupils, parents, teachers etc., and the General Data Protection Regulation is the law that says how we can hold, use and store it.

We have a number of privacy notices which tell you what personal information we collect and hold, what we do with it, who we share it with and how long we keep it for as well as other important information.

Our Data Protection Policy can be read [here](#)

The law gives people significant rights about how their personal information is handled. You can find out more about this on the Information Commissioner's Office (ICO) website [here](#) if you want to use one of your new rights please contact the school on 0207 424 0202 and one of our team will be in touch with you. We have a Data Protection Officer who is Andrew Maughan, Camden Council's Borough Solicitor. He is supported by a specialist team of schools Data Protection Advisers. They can be contacted through the schools' DP service by email: [schoolsdpo@camden.gov.uk](mailto:schoolsdpo@camden.gov.uk) or by telephone: 020 7974 4365.

Please rest assured that our school knows how important your and your child's information is, and takes all appropriate measures to make sure it is kept safe and secure, processed lawfully and fairly and only shared with people that the law allows us to.

If you're interested in how Camden Council is handling personal information have a look at their website [here](#) and their privacy notice [here](#).

## **Privacy Notice - Pupil Information**

### **Why do we collect and use pupil information?**

We use pupil data (information about individual pupils at our school):

- to support pupil learning
- to keep pupils safe
- to monitor and report on pupil progress
- to meet our duties to deliver high standards of educational provision
- to provide appropriate pastoral care
- to provide access to school meals
- to provide access to extracurricular activities
- to assess the quality of our services
- to comply with the law regarding data sharing

We collect and use pupil information under the following conditions:

- to meet our duties as a maintained school under the Education Acts 1996, 2002, 2011, the Education and Healthcare Act 2014, the School Standards and Framework Act 1998, the Children's Act 2004 and related legislation and regulation, the Equalities Act 2010 and other related legislation, and any regulations or statutory guidance made under those acts (Article 6(1)(e) of the General Data Protection Regulation);
- where it is necessary to meet our duties as an employer and our duties in relation to health and safety (Article 6(1)(c) of the General Data Protection Regulation);
- where it is necessary to protect the pupil's vital interests (if there is a medical emergency and consent cannot be obtained, for example) (Article 9 (2) (c) of the General Data Protection Regulation)
- where it is necessary for the defence of a legal claim or potential legal claim (Article 9 (2) (d) of the General Data Protection Regulation)
- As a result of your explicit consent to the use (Article 6 (1) (a). We do not require consent for the majority of the data we collect as the school is a public authority carrying out its duties under law. Where we do require your consent for the processing or collection of your child's data, we will advise you of this in advance and will not use this data without your consent.

### **Collecting pupil information**

Whilst the majority of pupil information you provide 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 pupil information to us or if you have a choice in this.

**The categories of pupil information that we collect, hold and share include:**

- Personal information (such as the pupil's name, their unique pupil number, address and parental contact details)
- Characteristics (such as the pupil's ethnicity, the language they speak at home, their nationality, country of birth and their eligibility for free school meals)
- Attendance information (such as sessions attended, number of absences and the reasons given for absence)
- Assessment information (such as the pupil's performance in statutory tests)
- Information about the pupil's behaviour and any sanctions imposed
- Information about any Special Educational Needs the pupil may have and the measures in place to assist them and information shared with us by other public authorities in relation to this
- Information about any relevant medical conditions
- Information about accidents and ill-health that the pupil has experienced on the school site
- Information about any additional services (e.g. clubs) that the child has accessed.
- Information shared with us by other public authorities regarding child protection

**Storing pupil data**

We hold pupil data for as short a time as possible that is consistent with our statutory and legal obligations. We use the Information and Record Management Society's Toolkit for Schools to inform our decisions on retention period. We ensure that we have adequate protection in place for pupil data, whether this is stored in electronic format or in hard copy. We ensure our staff have training on their duties in relation to information security. We transfer the pupil's Educational Record to their next school when they leave.

**Who do we share pupil information with?**

We routinely share pupil information with:

- The school that the pupil attends after leaving us
- the London Borough of Camden (as the local authority and as a result of contracts in place for services with them)
- Camden Learning, who are contracted by the London Borough of Camden to provide educational and professional support to schools and to promote high standards of educational provision within Camden
- the Department for Education (DfE)
- the NHS

We also have in place contracts with third parties who process pupil data on our behalf. These are:

- Catering Contract – Caterlink
- IT systems – LGFL, InVentry & Arbor (MIS)

In each case, our contract with the provider ensures that the data is only used for the purposes for which it was collected by us and that appropriate security measures are in place.

### **Why we share pupil information**

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. The law allows us to share data with third parties, such as those listed above, where they are carrying out duties for the school and appropriate controls are in place.

We share pupils' data with the Department for Education (DfE) and the local authority (London Borough of Camden) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring. We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

We will also share data with other agencies in line with our duties in relation to safeguarding and child protection with other agencies.

### **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 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 pupils to the DfE as part of 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 pupil 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 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 Department 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: and
- the arrangements in place to store and handle the data

To be granted access to pupil 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>

## **Privacy Notice – Parent/Carer Information**

We also collect information about parents to meet our legal duties set out above. Typically, this data includes

- Name
- Contact details including e-mail, telephone number and address
- Relationship with the pupil
- Information about financial payments made to the school
- Information held in relation to the school’s statutory responsibilities, including in respect of safeguarding and child protection, equalities, health and safety and special educational needs

We use data (information about parents at our school):

- to support pupil learning
- to keep pupils safe
- to monitor and report on pupil progress
- to meet our duties to deliver high standards of educational provision
- to provide appropriate pastoral care
- to provide access to school meals
- to provide access to extracurricular activities
- to assess the quality of our services
- to comply with the law regarding data sharing
- to collect payment for optional services provided by the school

We collect and use parent information under the following conditions:

- to meet our duties as a maintained school under the Education Acts 1996, 2002, 2011, the Education and Healthcare Act 2014, the School Standards and Framework Act 1998, the Children’s Act 2004 and related legislation and regulation, the Equalities Act 2010 and other related legislation, and any regulations or statutory guidance made under those acts (Article 6(1)(e) of the General Data Protection Regulation);
- where it is necessary to meet our duties as an employer and our duties in relation to health and safety (Article 6(1)(c) of the General Data Protection Regulation);

- where it is necessary for the defence of a legal claim or potential legal claim (Article 9 (2) (d) of the General Data Protection Regulation)
- as a result of your explicit consent to the use (Article 6 (1) (a)). We do not require consent for the majority of the data we collect as the school is a public authority carrying out its duties under the law. Where we do require your consent for the processing or collection of your child's data, we will advise you of this in advance and will not use this data without your consent.

### **Your rights in relation to your personal data**

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the School Business Manager on 0207 424 0202.

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 the Data Protection regulations

We do not take decisions by automated means and do not undertake direct marketing to pupils.

Your rights in respect of your data and how you can make use of these are set out in our Data Protection Policy. Students over the age of 13 will generally be considered to be capable of exercising control over their data, including determining whether to give their consent for their use of data when this is required.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with the Data Protection Officer (details below) in the first instance. However, you can contact the Information Commissioner's Office directly at <https://ico.org.uk/concerns/>

### **Contact:**

If you would like to discuss anything in this privacy notice, please contact:

- Helen Bruckdorfer – Headteacher
- Maria Lewis – School Business Manager

## Privacy Notice for Staff

### How we use school workforce information

We process personal data relating to those we employ to work at, or otherwise engage to work at Torriano Primary School. This is for employment purposes to assist in the running of the school or to enable individuals to be paid. The collection of this information will benefit both national and local users.

#### The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, employee or teacher number, national insurance number)
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- medical information (such as food allergies or medication needed in an emergency)
- contact information (such as telephone numbers of contacts that an employee would want the school to contact in an emergency)
- address information (such as the known contact address to direct correspondence to)
- payroll information (such as bank account numbers for payment transfers)

We also process special categories of personal data that may include:

- physical or mental health needs
- racial or ethnic origin
- trade union membership
- political affiliation and political opinions
- criminal convictions data
- civil and criminal proceedings, outcomes and sentences.
- religious or other beliefs of a similar nature

#### Why we collect and use this information

We use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid
- to contact you directly when you are not on the premises
- to contact others known to you, where you have provided their information, in cases where it would be reasonable for us to contact that individual

## The lawful basis on which we process this information

We collect and use information under Article 6 and Article 9 of the GDPR, this enables the school to process information such as Departmental Censuses under the Education Act 1996 and other such data processes that relate education provision or payment of the individual. Please see the details below relating to Article 6 and Article 9 of GDPR:

- *Article 6(1) (b) Contract: processing is necessary for a contract with an individual.*
- *Article 6(1) (c) Legal Obligation: Processing is necessary to comply with the law.*
- *Article 6(1) (e) Public Task: processing is necessary to perform a task in the public interest or for official functions and the task or function has a clear basis in law.*
- *Article 9(2) (b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.*
- *We do not require consent for the majority of the data we collect as the school is a public authority carrying out its duties under law. Where we do require your consent for the processing or collection of your data, we will do so under Article 6 (1) (a): Consent: the individual has given clear consent to process their personal data for a specific purpose.*

## Collecting this information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

## Storing this information

We hold school workforce data in line with our Data Retention Guidelines, which are available upon request.

## Who we share this information with

We routinely share this information with:

- Our local authority
- The Department for Education (DfE)
- The specialist Schools and Academy Trust
- The Princes' Teaching Institute

- Capita SIMs – workforce database
- Education Personnel Management – DBS checks

### **Local authority**

We are required to share information about our workforce members with our local authority (Camden) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

We will also share your data where required or permitted to do so by law for purposes of prevention and detection of crime and fraud.

### **Department for Education (DfE)**

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

We are required to share information about our pupils with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

### **Data collection requirements**

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

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

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>

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

### **Requesting access to your personal data**

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the School Business Manager.

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 the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

### **Further information**

If you would like to discuss anything in this privacy notice, please contact:

Helen Bruckdorfer – Headteacher

Maria Lewis – School Business Manager