



PRIVACY NOTICE – DORMANSLAND PRIMARY SCHOOL

WHO WE ARE

Dormansland Primary School is a LA-maintained school for 4 to 11 year-olds. Our address is:

Clinton Hill
Dormansland
Lingfield
Surrey
RH7 6PE

The school registration number is 936-2156.

For the purposes of the General Data Protection Regulation (EU 2016/679), Dormansland Primary School is a 'Data Controller'.

WHAT THIS PRIVACY NOTICE IS FOR

This policy is intended to provide information about how the school will use (or 'process') personal data about individuals including: its staff; its governors; its current, past and prospective pupils; and their parents, carers or guardians (referred to in this policy as 'parents').

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, governors, parents and pupils are all encouraged to read this Privacy Notice and understand the school's obligations to its entire community.

This **Privacy Notice** applies alongside any other information the school may provide about a particular use of personal data, for example when collecting data online or using a paper format.

This **Privacy Notice also** applies in addition to the school's other relevant terms and conditions and policies, including:

- any contract between the school and its staff, governors or the parents of pupils;
- the school's policy on taking, storing and using images of children;
- the school's retention of records policy;
- the school's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and
- the school's IT policies, including its Acceptable Use policy and eSafety policy.

Anyone who works for, or acts on behalf of, the school (including staff, volunteers, governors and service providers) should also be aware of and comply with this Privacy Notice, which also provides further information about how personal data about those individuals will be used.

RESPONSIBILITY FOR DATA PROTECTION

The Data Protection Officer is responsible for overseeing data protection within the School so if you do have any questions in this regard, please do contact them on the information below:-

Data Protection Officer: **Judicium Consulting Limited**

Address: **72 Cannon Street, London EC4N 6AE**

Email: dataservices@judicium.com

Web: www.judiciumeducation.co.uk

Telephone: **0203 326 9174**

Lead Contact: **Craig Stilwell**

WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties to staff, pupils and parents, the school needs to process a wide range of personal data about individuals (including current, past and prospective staff, pupils or parents) as part of its daily operation.

The school will need to carry out some of this activity in order to fulfil its legal rights, duties or obligations – including those covered by contracts with its staff, or parents of its pupils.

Dormansland Primary School anticipates that personal data will be processed for the following purposes to comply with relevant laws, fulfil our contractual obligations, and to protect the vital interests of data subjects:

- For the purposes of pupil admissions (and to confirm the identity of prospective pupils and their parents);
- To provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- Contacting prospective and current pupils and their legal parents where necessary by the School to fulfil our legal or contractual duties;
- For the purposes of management planning and forecasting, research and statistical analysis where imposed or provided for by law (such as tax, diversity or gender pay gap analysis);
- To enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- To give and receive information about past, current and prospective pupils, to/from any educational institution that the pupil attended or where it is proposed they attend, where allowed and/or required by law;
- To enable pupils to take part in national or other assessments, and to publish the results of public examinations or other achievements of pupils of the school;
- To safeguard pupils' welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of the school's IT and communications systems in accordance with the school's IT: acceptable use policy;

- To carry out or cooperate with any school or external complaints, disciplinary or investigation process; and
- Where otherwise necessary for the school's purposes, strictly either required by law, necessary to discharge our contractual duty to care for and educate a child, necessary to discharge our contractual duty to our employees, or to protect the vital interests of data subjects.

Dormansland Primary School anticipates that the following use will fall within the category where '**consent**' is required:

- To make use of photographic images of pupils in school publications, on the school website and (where appropriate) on the school's social media channels in accordance with the school's policy on taking, storing and using images of children;
- Any other use of personally identifiable information that does not fall into the categories above.

In addition, the school will on occasion need to process **special category personal data** (concerning health, ethnicity, religion, biometrics or sexual life) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. These reasons will include:

- To safeguard pupils' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of school trips who need to be made aware of dietary or medical needs;
- To provide educational services in the context of any special educational needs of a pupil;
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- As part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements; or
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

TYPES OF PERSONAL DATA PROCESSED BY THE SCHOOL

This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- car details (about those who use our car parking facilities);
- bank details and other financial information, e.g. about employees who are on the School's payroll;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
- personnel files, including in connection with academics, employment or safeguarding;

- where appropriate, information about individuals' health and welfare, and contact details for their next of kin;
- attainment records given or received by the school about pupils, and relevant information provided by previous educational establishments and/or other professionals or organisations working with pupils;
- correspondence with and concerning staff, pupils and parents past and present; and
- images of pupils (and occasionally other individuals) engaging in school activities (in accordance with the school's policy on taking, storing and using images of children);

HOW THE SCHOOL COLLECTS DATA

Generally, the school receives personal data from the individual directly (including, in the case of pupils, from their parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email or written assessments).

However in some cases personal data will be supplied by third parties (for example another school, or other professionals or authorities working with that individual); or collected from publicly available resources.

WHO HAS ACCESS TO PERSONAL DATA AND WHO THE SCHOOL SHARES IT WITH

Occasionally, the school will need to share personal information relating to its community with third parties, such as:

- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- contractors providing a direct service within school to our pupils and staff (such as caterers, IT support providers and teaching support services);
- government authorities (e.g. HMRC, DfE, police or the local authority); and
- appropriate regulatory bodies (e.g. OFSTED or the Information Commissioner).

For the most part, personal data collected by the school will remain within the school, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). Particularly strict rules of access apply in the context of:

- medical records will be held and accessed only by the appropriate staff in the Administration and welfare teams, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.

However, a certain amount of any SEN pupil's relevant information, as well as information (particularly related to allergies) that may be needed to safeguard the life of the data subject, will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires.

Staff, governors, pupils and parents are reminded that the school is under an obligation imposed by law and statutory guidance (including [Keeping Children Safe in Education](#)) to

record or report incidents and concerns that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This is likely to include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the Local Authority Designated Officer (LADO) or police. For further information about this, please view the school's Safeguarding Policy.

Finally, in accordance with Data Protection Law, some of the school's processing activity is carried out on its behalf by third parties, such as IT systems, web developers or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with the school's specific directions.

HOW LONG WE KEEP PERSONAL DATA

The school will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep ordinary staff and pupil personnel files is up to 7 years following departure from the school. However, incident reports, safeguarding files and any information pertaining to the welfare of a child will need to be kept much longer, in accordance with specific legal requirements (usually up to 25 years from date of birth for pupils, and at least retirement age for staff).

If you have any specific queries about how our retention policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact our Data Protection Officer. However, please bear in mind that the school will often have lawful and necessary reasons to hold on to some personal data, **despite such a request** (and you will be informed if this is the case).

A limited and reasonable amount of information will be kept for archiving purposes, for example; and even when you have requested that we no longer process or erase your data, we will need to keep a record of that fact in order to fulfil our obligations under law (called a 'suppression record').

KEEPING IN TOUCH AND SUPPORTING THE SCHOOL

The school will use the contact details of parents, staff and other members of the school community to keep them updated about the activities of the school, or events of interest, including by sending updates and newsletters, by email and by post. We do this as, by enrolling with our school, we are under a contractual agreement to provide the best educational services possible to our community. We may also need to comply with certain legal obligations, such as informing you of a school closure or contacting you in relation to an OFSTED inspection.

We will never use your personal data to contact you for other reasons without your explicit consent.

Should you wish to limit or object to any such use, or would like further information about how we keep in touch, please contact our Data Protection Officer in writing.

YOUR RIGHTS

- Rights of access, etc.

Individuals have various rights under Data Protection Law to access and understand personal data about them held by the school, and in some cases ask for it to be erased or amended or have it transferred to others, or for the school to stop processing it – but subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to our Data Protection Officer.

The school will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits (which is one month in the case of requests for access to information). The school will not charge a fee, except in the following case:

The school will be better able to respond quickly to smaller, targeted requests for information. If the request is manifestly excessive or difficult, or is made by a data subject who has made numerous similar requests, this period can be extended by a further two months and a proportionate fee requested from the data subject (where allowed by law). You will be notified within the initial month of us receiving your request if we intend to extend the deadline or charge a fee. If the data subject objects to our decision, then they can refer this to the Information Commissioner who will make a judgment.

- Requests that cannot be fulfilled

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations – please see further below), or information which is subject to legal privilege (for example legal advice given to or sought by the school, or documents prepared in connection with a legal action).

The school is also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers), provide examination or other test marks ahead of any ordinary publication, nor share any confidential reference given by the school itself for the purposes of the education, training or employment of any individual.

You may have heard of the ‘right to be forgotten’. However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your child's) personal data: for example, a legal requirement, or where we cannot perform our contractual duties without it. All such requests will be considered on their own merits.

- Pupil requests

Only data subjects aged 13 years or over can make subject access requests for their own personal data, which excludes any current or prospective pupils at our School. However as a pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf, pupils and parents wishing to pursue this course of action are referred to the section on ‘Parental Requests’ below.

- Parental requests, etc.

It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they and others will often have a legitimate interest or expectation in receiving certain information about pupils without their consent. The school may consider there are lawful grounds for sharing with or without reference to that pupil.

Parents will in general receive educational and pastoral updates about their children. Where parents are separated, the school will in most cases aim to provide the same information to each person with parental responsibility, but may need to factor in all the circumstances including legal requirements and the express wishes of the child.

All information requests from, on behalf of, or concerning pupils – whether made under subject access or simply as an incidental request – will therefore be considered on a case by case basis.

- Consent

Where the school is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). An example of where we do rely on consent would include certain types of uses of images. Please be aware however that the school may not be relying on consent but have another lawful reason to process the personal data in question even without your consent.

- Whose rights?

The rights under Data Protection Law belong to the individual to whom the data relates. However, the school will often rely on parental authority or notice for the necessary ways it processes personal data relating to pupils – for example, under the terms and conditions of admission, or via a form. Parents and pupils should be aware that this is not necessarily the same as the school relying on strict consent (see section on Consent above).

Where consent is required, it may in some cases be necessary or appropriate – given the nature of the processing in question, and the pupil's age and understanding – to seek the pupil's consent. Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law or under their contract, and all the circumstances.

In general, the school will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parents, e.g. for the purposes of keeping parents informed about the pupil's activities, progress and behaviour, and in the interests of the pupil's welfare. That is unless, in the school's opinion, there is a good reason to do otherwise.

However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, the school may be under an obligation to maintain confidentiality unless, in the school's opinion, there is a good reason to do otherwise; for example where the school believes disclosure will be in the best interests of the pupil or other pupils, or if required by law.

Pupils are required to respect the personal data and privacy of others, and to comply with all the school's relevant policies, (e.g. our IT and Acceptable Use policies) and the school rules. Staff are under a professional obligation to do the same, covered under the relevant staff policies.

DATA ACCURACY AND SECURITY

The school will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must please notify the Office or their Line Manager of any significant changes to important information, such as contact details, held about them.

An individual has the right to request that any out-of-date, irrelevant or inaccurate information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law) - please see above for details of why the school may need to process your data, or who you may contact if you disagree.

The school will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to school systems. All staff and governors will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

THIS POLICY

The school will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to the Data Protection Officer, **Judicium Consulting Limited** on dataservices@judicium.com

If an individual believes that the school has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the school's Complaints procedure and should also notify the Data Protection Officer. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the school before involving the regulator.

Dormansland Primary School
Privacy Notice

Approved by: Sarah Stokes, Head Teacher
Date approved: 24/05/2018