



Pot Kiln Primary School

Privacy notice for parents/carers and guardians

Under data protection law, individuals have Individual Rights on how information is processed. One of those rights is the 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 we collect, store and use personal data about **pupils**.

We, Pot Kiln Primary School, Butt Road, Great Cornard, Sudbury, CO10 0DS, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Mrs Sarah Ingram, Schools' Choice (see 'Contact us' below).

The personal data we hold

Personal data that we may collect, use, store and share and delete (when appropriate) about pupils includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers

We may also collect, use, store and share (when appropriate) information about your child that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any medical conditions we need to be aware of, including physical and mental health
- Photographs and video captured in school
- Characteristics, such as ethnic background or special educational needs

We may also hold data about your child that we have received from other organisations, including other schools and social services.

We also collect the following data from Parents/carers and guardians:

- Contact details, contact preferences, date of birth, identification documents, health/disability information if necessary.
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Why we use this data

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing
- Provide effective and timely communication with Parents and Carers

Additionally for those pupils with long term or serious medical conditions, details of the condition, care required and emergency action if necessary are made available, with the consent and agreement of parents, in the staff room and Kitchen in respect of dietary needs. This is to ensure that children's health is safeguarded and not jeopardized by not having information readily accessible.

Use of your child's personal data for marketing purposes

Where you have given us consent to do so, we may send your child marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to them.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

Use of your child's personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

Our lawful basis for using this data

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

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

We collect data from Parents and Carers to allow us to carry on the necessary business of the school.

Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

We have obtained your explicit consent to use your child's personal data in a certain way

We need to perform or exercise an obligation or right in relation to employment, social security or social protection law

We need to protect an individual's vital interests (i.e. protect your child's life or someone else's life), in situations where you're physically or legally incapable of giving consent

The data concerned has already been made manifestly public by you

We need to process it for the establishment, exercise or defence of legal claims

We need to process it for reasons of substantial public interest as defined in legislation

We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law

We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law

We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

Collecting this information

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

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

Most of the data we hold about your child will come from you, but we may also hold data about your child from Local Authorities and Government departments or agencies.

How we store this data

We keep personal information in electronic and physical files about pupils while they are attending our school. This is kept secure and is only accessed by authorised staff with password protection for electronic files. Physical files are kept locked in a secure cabinet and office. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our record retention schedule/records management policy sets out how long we keep information about pupils. We use the information issued by Information and Records Management Society's toolkit for schools. A copy of this schedule can be obtained from the school by emailing admin@potkiln.net or calling the school on 01787 372107

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.

We will dispose of your child's personal data securely when we no longer need it. Physical files will be transferred to a school to which your child is transferring at the end of Primary School or if changing schools at any time. Electronic data will be deleted from our database 3 years from the date the pupil leaves our school.

Data sharing

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required or necessary (and it complies with data protection law) we may share personal information about pupils with:

- *Our local authority, Suffolk County Council – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions*
- *The Department for Education*
- *The pupil's family and representatives*
- *Educators and examining bodies*
- *Our regulator Ofsted*
- *Suppliers and service providers – to enable them to provide the service we have contracted them for*
- *Financial organisations*
- *Central and local government*
- *Our auditors*
- *Survey and research organisations*
- *Health authorities*
- *Security organisations*
- *Health and social welfare organisations*
- *Professional advisers and consultants*
- *Charities and voluntary organisations*
- *Police forces, courts, tribunals*
- *Professional bodies*

National Pupil Database

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

Transferring data internationally

We do not currently transfer data internationally. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you.

Parents and pupils' rights regarding personal data

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

Parents/carers and guardians can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances. If you would like to make a request please contact our data protection officer.

Parents, or those with parental responsibility, also have the right to access their child's educational record (which includes most information about a pupil). This right applies as long as the pupil is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

To make a request, please contact the Headteacher.

Other rights

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

- Object to the use of personal data for any other purpose if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Right in relation to automated decision making and profiling (by a computer or machine, rather than by a person). Where this used, you have the right to discuss with the data controller the outcome of the decision. We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you.
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed,
- The right to be informed how your personal data is used (see above)
- Right of access (Subject Access Request (see above)
- Right to Restrict Processing (only when we don't have a legal obligation to do so)
- The Right to Erasure, where we no longer have a statutory duty to retain it.

To exercise any of these rights, please contact our data protection officer.

Complaints

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

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

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

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

Contact us

In the first instance please contact us at the school by email admin@potkiln.net, or phone 01787 372107. Please ask to speak to Mrs Sue Pocock.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

Mrs Sarah Ingham
Schools' Choice
01473 944579
data.protection@schoolschoice.org

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