



Privacy notice for Pupils and Parents

Signed by : *Lynn Wong*
Chair of Governors.

Date: March 2024

Wheatley Nursery School is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you before, during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR).

Wheatley Nursery School is a 'data controller'. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

- (a) Used lawfully, fairly and in a transparent way.
- (b) Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- (c) Relevant to the purposes we have told you about and limited only to those purposes.
- (d) Accurate and kept up to date.
- (e) Kept only as long as necessary for the purposes we have told you about.
- (f) Kept securely.

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

- Personal information (such as name, unique pupil number, contact details and address);
- Characteristics (such as ethnicity, language, pupil premium and free school meal eligibility);
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended);
- Assessment information;
- Relevant medical information (such as doctors information, child health, dental health, allergies, medication and dietary requirements);
- Safeguarding (such as court orders and professional involvement);
- Information relation to SEND (Special Educational Needs);
- Behavioural information (such as the number of exclusions and any relevant alternative provision put in place);
- Post 16 learning information.

For pupils/students enrolling for post 14 qualifications, the Learning Records Service will give the unique learner number (ULN) .

Why we collect and use this information

We collect the information about pupils and parents/carers before they join and update it during their time on roll as and when new information is acquired. We use the pupil data:

- to support pupil learning;
- to monitor and report on pupil progress;
- to provide appropriate pastoral care;
- to assess the quality of our services including safeguarding pupils;
- to comply with the law regarding data sharing.

The lawful basis on which we use this information

Wheatley Nursery School holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE.

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for this processing are:

- a. consent. You are able to remove your consent at any time. You can do this by contacting the school office;
- b. we have a contractual obligation;
- c. we have a legal obligation;
- d. we need it to perform a public task;
- e. we have a vital interest;
- f. we have a legitimate interest.

Some personal information requires extra protection as it is considered more sensitive. This includes race, ethnicity, religious beliefs, medical conditions, genetic information and biometric data, criminal convictions.

If we are processing special category data, our lawful bases will also include one of the following: a. we have explicit consent;

- b. to meet our obligations as a controller or those of data subjects;
- c. to meet our public interest task of keeping pupils safe.

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 it.

Storing pupil data

We hold pupil data on local and some cloud-based computer systems, as well as on paper. There are strict controls on who can see your information.

If your child changes school we will transfer records to your new school, where they will be retained until they reach the age of 25, after which they are securely destroyed.

We hold pupils education records securely and retain them from the date of your child's birth until they reach the age of 25, after which they are securely destroyed.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupil attend after leaving us;
- RM integris;
- our local authority, Oxfordshire County Council (SEN and transport department, social care department, specialist teaching services);
- the Department for Education (DfE) (statutory data collections);
- the NHS professionals.

From time to time, we may also share pupil information with other third parties including the following:

- the Police and law enforcement agencies;
- Educational psychologists;
- Education Welfare Officers;
- Courts, if ordered to do so;
- Prevent teams in accordance with the Prevent Duty on schools.

In the event that we share personal data about pupils with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

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.

We share pupils' data with the Department for Education (DfE) 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.

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>.

Youth support services

Pupils aged 13+

Once our pupils reach the age of 13, we also pass pupil information to our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- youth support services
- careers advisers

A parent or guardian can request that **only** their child's name, address and date of birth is passed to their

local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once he/she reaches the age 16.

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 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>

Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold (a subject access request).

To make a request for your personal information, or be given access to your child's educational record, contact the School Administrator on 01865 452725 or email office@Johnwatsonschool.org or our data protection officer (see contact details at the end of this privacy notice).

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;
- a right to seek redress either through the ICO or through the courts.

Under GDPR you are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Parents of pupils who attend a maintained school have a separate statutory right to access their child's educational record. Upon receipt of a written request for a pupil's educational record, the school will respond to it within 15 school days. This is an independent legal right of parents which falls outside of the GDPR.

How you can help us

As the school has limited staff resources outside of term time, we encourage parents to submit requests for information during term time and to avoid sending a request during periods when the school is closed, or is about to close for the holidays, where possible. This will assist us in responding to your request as promptly as possible.

For further information about how we handle subject access requests, please see our Data Protection Policy.

If you have a concern about the way we are collecting or using your personal data, we request 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/>

Contact

If you would like to discuss anything in this privacy notice, please contact the school office.

Our DPO's contact details are below:

Our DPO is Ben Craig and is contactable via Telephone on 07967758241 or via email on bcraig@schoolpro.uk