



# Privacy Notice for Children

Article 3 - the best interests of the child must be a top priority in all decisions and actions that affect children

Article 36 – Governments must protect children from all forms of exploitation.

Article 16 – the right to privacy

Dear Children (and Parents/Carers),

We have to keep information about you to help us ensure that we are meeting all of your needs and enabling you to be the best that you can be. As a Rights Respecting School, we also know that you have the right to privacy and so we are very careful with the data that we keep.

This privacy notice describes how we collect and use personal information about pupils, in accordance with the UK General Data Protection Regulation (UK GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR, as it continues to apply in the EU, is known as EU GDPR.

## **Who Collects This Information**

Elmwood Infant School and Nursery is a “data controller.” This means that we are responsible for deciding how we hold and use personal information about pupils and parents.

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

- Personal information (such as name, unique pupil number, date of birth, gender and contact information)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information
- Assessment information
- Other information to support your learning, development and progress (such as medical information, special educational needs information, safeguarding information, exclusions and behavioural information)

## **Why we collect and use this information:**

We use your data:

- to support your learning and to monitor and report on progress
- to provide you with the best possible care and to ensure you are kept safe at all times
- to assess the quality of what we do and to comply with the law regarding data sharing.

## **The Lawful Basis on Which We Use This Information**

We will only use your information when the law allows us to. Most commonly, we will use your information in the following circumstances: -

- Consent: clear consent is given to process your personal data for a specific purpose;
- Contract: the processing is necessary for a contract with an individual;

- Legal obligation: the processing is necessary to comply with the law (not including contractual obligations);
- Vital interests: the processing is necessary to protect someone's life.
- Public task: the 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; and
- The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We need all the categories of information in the list above primarily to allow us to comply with legal obligations. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

## Collecting Information

Whilst the majority of information you give 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.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

## Storing Pupil Data

We will not keep your data for longer than is necessary and follow the Information Commissioner's guidance on retention of documents.

## Sharing Pupil Information

We routinely share your information with:

- Schools that you attend after leaving Elmwood Infant School and Nursery
- Our local authority and other authorities when necessary
  - the Department for Education (DfE)
  - Early Help, Health Services and Social Services, when necessary
  - OTrack and 2BuildaProfile – companies that help us to manage our assessment systems
  - CPOMS – a software service that manages our safeguarding, attendance and behaviour data
  - Sometimes we use little bits of information like your name, for dojos (reward scheme), the seesaw app and 2build a profile (parent communication apps).
  - Providers of support software, such as IT support, information security, communication and online payment systems.

We do not share information about you with anyone without consent unless the law and our policies allow us to do so.

We share data with the Department for Education (DfE) on a statutory basis. This data sharing helps the government to decide on how schools are funded and to make decisions about funding, assessment and monitoring.

We are required to share information about you with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

## **Requesting Access to your Personal Data**

Under data protection legislation, you and your parents/carers have the right to request access to the information that we hold about you. To make a request for your personal information, or be given access to your educational record, please contact the Headteacher, Wayne Cooper, in writing.

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 would like to discuss anything in this privacy notice or have a concern about the way we are collecting or using your personal data, please contact the Headteacher, Wayne Cooper, in the first instance in writing.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

## **Right To Withdraw Consent**

In circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Headteacher, Wayne Cooper, in writing. 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.

## **Data Protection Officer**

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

Data Protection Officer: Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)

Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)

Telephone: 0203 326 9174

Lead Contact: Craig Stillwell

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns>.

## **Changes To This Privacy Notice**

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. We may also notify you in other ways from time to time about the processing of your personal information.

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Parents/Carers:

Please can you sign and date this notice to show that you have read and understood the reasons why we store, process and sometimes share your child's data.

Signed:.....Parent/Carer

Date:.....

Child's Name:.....