



Lovelace Primary School GDPR Pupil Privacy Notice

How we use pupil information

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

- Personal information (such as name, date of birth, contact details, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Special educational needs (including the needs and ranking)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Dietary information (such as food allergies, religious food restrictions)
- Medical information (such as illnesses, allergies, disabilities)
- Assessment information (such as KS1 SATS results, KS2 SATS results)
- Parental permissions (such as participation in school visits/residential trips; walking home alone; use of photographs)

Why we collect and use this information

We use the pupil data:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us for DfE data collections
- g) to promote the school
- h) to communicate with parents/carers
- i) to respond to investigations from our regulators or to respond to complaints raised by our stakeholders
- j) in connection with any legal proceedings threatened or commenced against the school

We collect and use pupil information in accordance with the lawful processing and condition (in the case of special category data) outlined in **Article 6 and Article 9 of the General Data Protection Regulations**.

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

Where we have your permission ('consent')

We will seek your permission for a number of reasons but the following provide some examples (please note this list is not exhaustive):-

- To consent to your child having emergency medical treatment as considered necessary by medical authorities present
- To consent to the administration of medication or first aid dressings
- To consent to taking part in school visits or residential visits
- To consent to your child walking home alone
- To consent to being included in media associated with Lovelace Primary School e.g. newspapers, newsletters, school website
- To consent to the sharing of some personal data with the PFA

You can change your mind at any time by putting your request in writing to us.

Where we have to do something by law ('legal obligation')

- To ensure that your rights are met under the UK Data Protection Act.
- To meet our obligations with statutory requirements, law enforcement agencies, courts and other organisations.

Where we do something to protect someone's life ('vital interest')

- We will ask you to inform us of medical/dietary information that is crucial for us to know for the safety of your child. We will share this information with class teachers, school staff who are responsible for administering first aid and catering staff to ensure the safety of your child.

Where special category information is processed, the condition for processing will be one of the following:

- The data subject has given explicit consent
- Processing is necessary to protect the vital interests of the data subject or of another natural person
- Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller

How we collect pupil information

We collect pupil information via admission forms, Common Transfer File (CTF) or secure file transfer from previous schools.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

In addition, the School also uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or to investigate other issues. CCTV footage involving pupils will only be processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.

Images and Videos

Lovelace Primary requests the consent of parents on an annual basis to use images and videos of their child for a variety of different purposes.

Without your consent, the school will not use images and videos of your child. Similarly, if there are only certain conditions under which you would like images and videos of your child to be used, the school will abide by the conditions you outline in this form.

Why do you we use images and videos of your child?

Lovelace Primary uses images and videos of pupils as part of school displays to celebrate school life and pupils' achievements; to promote the school on social media and on the school's website; and for other publicity purposes in printed publications, such as newspapers.

Where the school uses images of individual pupils, the name of the pupil **will not** be disclosed. Where an individual pupil is named in a written publication, a photograph of the pupil **will not** be used to accompany the text.

Lovelace Primary may take images or videos of individual pupils and groups of pupils to use on social media, the school website, in school prospectuses and other printed publications, such as a newsletter.

Who else uses images and videos of your child?

It is common that the school is visited by local media and press, who take images or videos of school events, such as sports days. Pupils will appear in these images and videos, and these may be published in local or national newspapers, or on approved websites.

What are the conditions of use?

- You will be asked to provide consent for us to use images and videos and this consent will be valid for the current academic year. It will be renewed on an annual basis.
- Consent will also be refreshed where any changes to circumstances occur – this can include, but is not limited to, the following:
 - ✓ New requirements for consent, e.g. an additional social media account will be used to share pupil images and videos
 - ✓ Changes to a pupil's circumstances, e.g. safeguarding requirements mean a pupil's image cannot be used
 - ✓ Changes to parental consent, e.g. amending the provisions for which consent has been provided for
- It is the responsibility of parents to inform the school, in writing, if consent needs to be withdrawn or amended.
- The school will not use the personal details or full names of any pupil in an image or video, on our website, in our school prospectuses or any other printed publications.
- The school will not include personal emails or postal addresses, telephone or fax numbers on images or videos on our website, in our school prospectuses or any other printed publications.
- The school may use pictures of pupils and teachers that have been drawn by pupils.
- The school may use work created by pupils.
- The school may use group or class images or videos with general labels, e.g. 'sports day'.
- The school will only use images and videos of pupils who are suitably dressed.
- The school will take class images of your child which are available to purchase annually.

Where you would like to amend the provisions for which consent has been provided, you must submit your request in writing to the headteacher. A new form will be supplied to you to amend your consent accordingly and provide a signature.

How we store pupil data

A significant amount of personal data is stored electronically, for example, on our database, SIMS. Some information may also be stored in hard copy format. Data stored electronically may be saved on a cloud-based system which may be hosted in a different country.

Personal data may be transferred to other countries if, for example, we are arranging a school trip to a different country. Appropriate steps will be taken to keep the data secure.

We hold pupil data securely for the prescribed amount of time referenced in the "Information Management Toolkit for Schools" published by the Information Record's Society. For more information on our data retention schedule and how we keep your data safe, please see our Data Protection Policy.

Who we share pupil information with

We routinely share pupil information with:

- Parents/Carers (as defined in the Education Act 1996)
- schools that the pupil's attend after leaving us
- Achieving for Children (AFC)
- The Royal Borough of Kingston upon Thames
- Other local authorities
- a pupil's home local authority (if different)
- the Department for Education (DfE) and its quangos e.g. Standards and Testing Agency
- governors of the school

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

- the Police and law enforcement agencies
- NHS health professionals including the school nurse, educational psychologists,
- Education Welfare Officers
- Courts, if ordered to do so

- Prevent teams in accordance with the Prevent Duty on schools
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances
- our HR providers, for example, if we are seeking HR advice and a pupil is involved in an issue;
- our legal advisors;
- our insurance providers / the Risk Protection Arrangement;
- external companies who we have a contract with to provide an online payments system; email/text communication system; parents evening booking system
- teaching and learning related e.g. NFER Assessments
- organisations providing services in respect of trips or residentials (e.g. PGL, boat trip providers, Eiffel Tower etc)

Why we regularly 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 the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under: section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

Requesting access to your personal data

Pupils attending any type of school have a right of access under the Data Protection Act 1998 to their own information. This is known as the right of subject access. When a child cannot act for themselves or the child gives permission, parents will be able to access this information on their behalf.

If the child attends a maintained school such as Lovelace, parents have an independent right of access to their **child's educational record**, under separate education regulations.

Please note that access to your child's educational record will be provided within a timeframe of 15 days whereas a standard Subject Access Request (SAR) will be acted on within one month of receipt.

Please note that as the school has limited staff resources outside of term time, we encourage parents/pupils to submit Subject Access Requests 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.

Please note that there is no charge to view the data or have a copy. However in cases where the request is manifestly unfounded or excessive we will charge a fee to cover the administrative costs of complying with the request. Equally if an individual requests further copies of their data following a request, a fee will be charged based on the administrative costs of providing further copies (covering printing costs).

To make a request for your personal information, or be given access to your child's educational record, contact Wendy Ashburner, School Business Manager.

For further information about how we handle Subject Access Requests, please see our Data Protection Policy.

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

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to 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:

Wendy Ashburner - School Business Manager
Lovelace Primary School
Mansfield Road
Chessington
Surrey
KT9 2RN

Satswana Limited – Data Protection Officer
Pembroke House
St Christopher's Place
Farnborough
Hampshire
GU14 0NH

info@satswana.com

Tel: 01252 516898

How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

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)

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

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