

# Privacy notice for parents and carers – use of your child’s personal data

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## 1. Introduction

Under UK data protection law, individuals have a right to be informed about how our 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 at our school**.

This privacy notice applies while we believe your child is not capable of understanding and exercising their own data protection rights.

We, Calcot School, Curtis Road, Calcot, Reading RG31 4XG. Tel: 0118 942 8189 or 0118 942 8727, are the ‘data controller’ for the purposes of UK data protection law.

## 2. The personal data we hold

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

- Personal information e.g. contact details, contact preferences, date of birth, identification documents, address
- Results of internal assessments and externally set tests such as Key Stage 1 and phonics results
- Pupil and curricular records
- Financial information e.g. payment details for school meals or trips

- Behavioural information such as exclusion information and any relevant alternative provision put in place
- Attendance information such as sessions attended, number of absences, absence reasons and any previous schools attended
- Safeguarding information such as court orders; professional involvement and records of individual correspondence
- Details of any support received, including care packages, plans and support providers
- Information about your child's use of our information and communications systems, equipment and facilities (e.g. school computers)
- 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, doctors information, allergies, medication and dietary requirements
- Photographs and CCTV images captured in school
- Characteristics, such as ethnic background, free school meal eligibility 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.

### **3. Why we use this data**

We use the data listed above to:

- a) Support pupil learning and wellbeing
- b) Monitor and report on pupil attainment progress
- c) Provide appropriate pastoral care
- d) Protect pupil welfare and keep children safe
- e) Assess the quality of our services
- f) Administer admissions waiting lists
- g) Carry out research
- h) Comply with the law regarding data sharing and meet the statutory duties places upon us for the Department for Education (DfE) data collections
- i) Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely

#### **3.1 Use of your child's personal data for marketing purposes**

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

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).

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

We do not currently process any pupils' 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.

### 3.3 Use of your child's personal data for filtering and monitoring purposes

While your child is in in our school, we may monitor their use of our information and communication systems, equipment and facilities (e.g. school computers). We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies (e.g. child protection policy, IT acceptable use policy) and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)
- Protect your child's welfare

## 4. Our lawful basis for using this data

Our lawful bases for processing your child's personal data for the purposes listed in section 3 above are as follows:

- in accordance with the 'public task' basis – we need to process data to fulfil our statutory function as a school as set out here:
  - Article 6(1)(e) The processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law
- in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:
  - Section 537A of the Education Act 1996
  - the Education Act 1996 s29(3)
  - the Education (School Performance Information) (England) Regulations 2007
  - section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013
  - The Education (Pupil Information) (England) Regulations 2005
  - The School Information (England) Regulations 2008
  - the Education (Pupil Registration) (England) (Amendment) Regulations 2013
- in accordance with the 'consent' basis – we will obtain consent from you to use your child's personal data
- in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation

Where you have provided us with consent to use your child's data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so.

### 4.1 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 1 of the following conditions for processing as set out in UK 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
- For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:
- We have obtained your consent to use it in a specific way
- 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, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

## 5. Collecting this data

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

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

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
- Government departments or agencies
- Police forces, courts or tribunals

## 6. How we store this data

We keep personal information about your child while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary. Our record retention schedule sets out how long we keep information about pupils. We follow retention schedule recommendations from IRMS (Information and Records Management Society) for schools.

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.

## 7. Who we share data with

We do not share information about your child 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 UK data protection law), we may share personal information about your child with:

- Our local authority, West Berkshire Council – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about suspensions and exclusions
- Schools that the pupils attend after leaving us
- Government departments or agencies
- Our youth support services provider
- Our regulator Ofsted
- Suppliers and service providers *List the specific types of providers (e.g. catering, filtering and monitoring)*
  - Weduc/Reach More Parents
  - ESS - SIMS
  - Tapestry
  - Rising Stars
  - EduKey
  - My Maths
  - Junior Librarian
  - Times tables Rock stars
  - Oxford Reading Buddy
  - Purplemash/2Simple
  - Discovery Education
  - Duolingo
  - PEhub
  - Google
  - RM Unify
  - Reading Cloud
- Financial organisations
- 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

## 7.1 How Government uses your data

The pupil data that we lawfully share with the the Department for Education (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, 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)

## 7.2 Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (DfE) (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

## 7.3 The National Pupil Database (NPD)

Some 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 (DfE) 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 for Education (DfE).

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-mpd-privacy-notice/national-pupil-database-mpd-privacy-notice>

## 7.4 Sharing by the Department for Education (DfE)

The law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and 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 for Education's (DfE) 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 the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) 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>

## 7.5 How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the [Data Protection Act 2018](#), you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make

a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

You can also [contact the Department for Education](#) with any further questions about the NPD. To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>

## **7.6 Transferring data internationally**

We may share personal information about your child with the following international third parties, where different data protection legislation applies:

- Other schools or educational establishments
- Government departments or agencies
- Security organisations
- App or cloud server providers
- Filtering and monitoring providers

Where we transfer your child's personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

## **8. Your rights**

### **8.1 How to access personal information that we hold about your child**

You have a right to make a 'subject access request' to gain access to personal information that we hold about your child.

If you make a subject access request, and if we do hold information about your child, we will (subject to any exemptions that apply):

- 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
- 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

You may also have the right for your child's personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

### **8.2 Your right to access your child's educational record**

Parents, or those with parental responsibility, also have the right to access their child's educational record (which includes most information about a pupil) when the child is attending our school.

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 Office Manager, Emmaleen Phillips on 0118 942 8727.

### 8.3 Your other rights regarding your child's data

Under UK data protection law, you have certain rights regarding how your child's personal data is used and kept safe. For example, you have the right to:

- Object to our use of your child's personal data
- Prevent your child's data being used to send direct marketing
- Object to and challenge the use of your child's personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about your child deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your child's personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us (see 'Contact us' below).

## 9. 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.

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

- Report a concern online at <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

## 10. Contact us

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

Our data protection officer is:

- Thomas Ing, West Berkshire Council Education Services, Market Street Council Offices, Market Street, Newbury RG14 5LD Email: Thomas.Ng@westberks.gov.uk

However, our **data protection lead** has day-to-day responsibility for data protection issues in our school.

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact them:

- Emma Kirkby, Calcot Schools, Curtis Road, Calcot, Reading RG31 4XG Tel: 0118 942 8727

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated in April 2024.