Caverstede Nursery School

Privacy Notice for Parents / Carers

Sept 2022

Under Data Protection Law, individuals have a right to be informed about how Caverstede Nursery School uses any personal data that we hold about them. We comply with this right by providing privacy notices to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **Parents / Carers**.

We, Caverstede Nursery School, are the 'Data Controller' for the purposes of Data Protection Law.

Our Data Protection Officer is The ICT Service (see 'Complaints' / 'Contact us' below).

The personal data we hold:

Personal data that we may collect, use, store and share (when appropriate) about parents/carers may include, but is not restricted to:

- Name, address and date of birth,
- Contact details, contact preferences, identification documents
- Characteristics such as ethnic background, first language
- Employment details such as place of work, occupation, job title, NI number
- Whether there is a court order in place restricting the parent's access to their child
- CCTV images captured in school

We may also hold data about parents/carers that we have received from other organisations, including other schools, local authorities and the Department for Education.

Why we use this data:

We use this data to:

- Provide appropriate pastoral care.
- Protect student/pupil welfare.
- Administer admissions waiting lists.
- Comply with the law regarding data sharing.

Our legal basis for using this data:

We only collect and use parents' 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 parents' 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Where we have obtained consent to use parents'/ carers' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.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 parents'/carers' personal data overlap, and there may be several grounds which justify our use of this data. If you wish to action this, please contact our School Business Manager at victoria.judge@caverstede.peterborough.sch.uk

Our basis for using Special Category data Article 9 – UK GDPR | Fieldfisher:

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 explicit consent to use the special category 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 a child's life or someone else's life), in situations where they are physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by the data subject.
- 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 data protection law. Conditions include:

- We have obtained consent to use it in a specific way.
- We need to protect an individual's vital interests (i.e. protect a child's life or someone else's life), in situations where they are physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by the data subject.
- 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.

Collecting this information

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

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

How we store this data

We keep personal information about students/pupils and their parents while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. We store this data in both digital and paper-based formats. We keep personal data according to the Retention Schedule set out in the Information and Record Management Society's Toolkit for Schools. Information Records Management Society https://irms.org.uk/

Data sharing:

We do not share information about parents 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 parents with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education – to meet our legal obligations to share certain information with it.
- Suppliers and service providers – to enable them to provide the service we have contracted them for.
- Survey and research organisations – to help us fulfil our public task.
- Health authorities – to meet our legal obligation to keep our pupils safe.
- Health and social welfare organisations – to meet our legal obligation and to protect our pupils.
- Charities and voluntary organisations - to help us fulfil our public task and to protect the pupils.
- Police forces, courts, tribunals – to meet our legal obligations to share information with them.

How Government uses your child's data

The pupil data that we lawfully share with 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
- Supports 'longer term' research and monitoring of education policy

Data collection requirements

To find our 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

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 and early years' census.

Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the Department for Education 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.

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 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 promotion of 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

You can also contact the Department for Education with any further questions about the NPD.

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

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

To contact the Department for Education (DfE): https://www.gov.uk/contact-dfe

Transferring data internationally

Where we transfer personal data to a country or territory outside United Kingdom, we will do so in accordance with Data Protection Law.

Parents' / Carers 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.

If you make a Subject Access Request, and if we do hold information about you, 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.

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 if it would cause, or is causing, damage or distress.
- Prevent it being used to send direct marketing.
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person).
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing.
- Claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights, please contact our School Business Manager at victoria.judge@caverstede.peterborough.sch.uk

Use of CCTV

The school has a surveillance system for the purpose of maintaining a safe environment, ensure the welfare of pupils, staff and visitors, deter criminal acts against persons and property and assist the police in identifying persons who have committed an offence.

The surveillance and CCTV system is owned by the school and images from the system are strictly controlled and monitored by authorised personnel only.

The school will ensure that the surveillance and CCTV system is used to create a safer environment for staff, pupils and visitors to the school, and to ensure that its operation is consistent with the obligations outlined in data protection legislation. The data protection policy is available from the school's website.

We will adhere to the ICO's code of practice for the use of CCTV.

Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use.

All surveillance footage will be kept for up to 35 days for security purposes; the headteacher and the school business manager are responsible for keeping the records secure and allowing access.

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 School Business Manager at victoria.judge@caverstede.peterborough.sch.uk.

You can also contact our Data Protection Officer:

The ICT Service
Email: dpo@theictservice.org.uk
Tel: 0300 300 0000

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

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

Contact us

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

- School Business Manager at victoria.judge@caverstede.peterborough.sch.uk

This notice is based on the Department for Education's model privacy notice for Pupils, amended for Parents and Carers to reflect the way we use data in this school.

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