Privacy Notice (How we use your personal data)

Avishayes Primary School & Early Years Centre needs to use data on pupils in order to be able to keep you safe and deliver the best education possible. Only essential data is held, and we always follow the law when we collect use, store, and share your data.

You have a legal right to be informed about how our Trust uses any personal information that we hold about you. This privacy notice explains how we collect, store, and use personal data about you.

Avishayes Primary School & Early Years Centre is the 'data controller' for the purposes of data protection law. Our Data Protection Officer (DPO) is Amy Brittan (see 'Contact' below).

The personal data we hold about you

We hold some personal information about you to make sure we can help you learn and look after you when you attend a school in our Trust.

For the same reasons, we get information about you from some other places too – like other schools, the local council and the government.

This information includes but is not limited to:

- your contact details
- assessments of your work
- your attendance records
- your characteristics, like your ethnic background or any special educational needs
- any medical conditions you have
- details of any behaviour issues or exclusions
- photographs

The personal data we hold about your parents

We hold some personal information about your parents to make sure we can help you learn and look after you at school.

- contact details
- payment details (for nursery fees)
- we may also hold some information about your parents if you have a safeguarding folder

Why we use this data

We use this data to help run the School and Trust including to:

- get in touch with you and your parents when we need to
- check how you're doing in all subjects and work out whether you or your teachers need any extra help
- provide remote learning opportunities during periods of lockdown
- track how well the School and Trust is performing
- look after your wellbeing

Our legal basis for using this data

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

- we need to comply with the law *(Article 6(1)(c) of UK GDPR)*
- we need to use it to carry out a task in the public interest (in order to provide you with an education) *(Article 6(1)(e) of UK GDPR)*

Sometimes, we may also use your personal information where:

- you, or your parents/carers have given us permission to use it in a certain way (*Article 6(1)(a) of UK GDPR)*
- we need to protect your interests (or someone else's interest) e.g., in a life-or-death situation *(Article 6(1)(d) of UK GDPR)*

We may also collect and use information about your health or other protected characteristics such as your religion or ethnicity. These are special categories of personal information, and we will only collect and use it when it is necessary for public health, e.g., protecting against serious threats to health. The legal basis here is *Article 9(2)(i) of UK GDPR.*

Public Health England also has special permission from the Secretary of State for Health and Social Care to use personally identifiable information without your permission where this is in the public interest. This is known as 'Section 251' approval and includes the use of the information collected by NHS Test and Trace to help protect the public from coronavirus. The part of the law that applies here is Section 251 of the National Health Service Act 2006 and the associated Health Service (Control of Patient Information) Regulations 2002.

Where we have got permission to use your data, you or your parents/carers may withdraw this at any time. We will make this clear when we ask for permission and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

Collecting this information

While in most cases you, or your parents/carers, must provide the personal information we need to collect, there are some occasions when you can choose whether or not to provide

the data. We will always tell you if it's optional. If you must provide the data, we will explain what might happen if you don't.

Data sharing

We do not share personal information about you with anyone outside the school or Trust without permission from you or your parents/carers, unless the law and our policies allow us to do so.

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

Who we share with	**Why we share**
Our local authority	To meet our legal duties to share certain information with it, such as concerns about pupils' safety and exclusions
The Department for Education	We have to do this by law. This data sharing underpins school funding, educational policy and funding
Your family and representatives	To ensure that they know how you are doing and to protect your welfare
Other schools after you leave our Trust	We will transfer your pupil record, which consists of basic information, assessment data, any educational support, and any safeguarding records. We may share some information in advance if it will enable your next school to provide effective and timely support
Police forces, courts, tribunals and security services	As we are required to by law
Educators and examining bodies	To ensure that you are entered for exams and your results are recorded
Health and social welfare organisations	Such as the school nurse and the Education Welfare Officer to help look after your health and wellbeing
Providers of electronic learning resources	To allow you to use their resources in class and at home

International transfers of personal data

We have audited where we store all the personal data processed in the School/Trust and by third party services. If a third-party service stores data in the EU or US, we have ensured that safeguards such as standard contractual clauses are in place to allow the safe flow of data to and from the School.

How we store this data

We will keep personal information about you while you are a pupil at a school in our Trust. We may also keep it after you have left the Trust, where we are required to by law. If you leave us mid-year or move to a new school outside of the Trust, we will transfer your pupil record to your next setting.

Our record retention schedule/records management policy is based on the Information and Records Management Society's toolkit for schools and sets out how long we keep information about pupils.

National Pupil Database

We are required to provide information about you to the Department for Education (a government department) as part of data collections such as the school census.

Some of this information is then stored in the National Pupil Database, (NPD) which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

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

Your rights

How to access personal information we hold about you

You can find out if we hold any personal information about you, and how we use it, by making a 'subject access request', Your parents may make this request on your behalf. If we think you are able to understand your rights and what they mean, we may ask your permission before providing information to your parents.

If we do hold information about you, we will:

- give you a description of it

- tell you why we are holding and using it, and how long we will keep it for
- explain where we got it from, if not from you or your parents
- tell you who it has been, or will be, shared with

Your other rights over your data

You have other rights over how your personal data is used and kept safe, including the right to:

- say that you don't want it to be used if this would cause, or is causing, harm or distress
- stop it being used to send you marketing materials
- say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- have it corrected, deleted or destroyed if it is wrong, or restrict our use of it
- claim compensation if the data protection rules are broken and this harms you in some way
- let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person)

You may also ask us to send your personal information to another organisation electronically in certain circumstances. If you want to make a request, please contact our Data Protection Officer (see 'Contact').

Complaints

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by contacting our Data Protection Officer.

You can also complain to the Information Commissioner's Office in one of the following ways:

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

Contact

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer: dposchools@somerset.gov.uk

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