



Franche Community Primary School

Privacy Notice for Parents and Pupils – How we use your information 2022/23

Who are we?

Franche Community Primary School is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Franche Community Primary School is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: Z1240009.

You can contact the school as the Data Controller in writing at: Chestnut Grove, Kidderminster, DY11 5QB.

What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

What personal information do we process about pupils and parents?

The pupil and parent information that we collect, hold and share includes:

- Personal information including a pupil's name, date of birth, unique pupil number and home address
- Characteristics such as ethnicity, language, and free school meal eligibility
- Attendance information such as sessions attended, number of absences and absence reasons.
- Educational information including records of work, assessment results, relevant medical information, details of pupils' special educational needs, exclusions/behavioural information, post-16 learning information.
- Contact information for parents, carers and other relatives, including telephone numbers, home addresses and e-mail addresses.
- Information about a child's home life, where required as part of necessary safeguarding and welfare processes.

Why do we use personal information?

We use pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils
- to share medical information with health professionals

Collecting pupil information

Whilst the majority of pupil information you provide 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.

What are the legal reasons for us to process your personal information?

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

1) To comply with the law

We collect and use general purpose pupil information in order to meet certain legal requirements and legal obligations placed upon the school by law. We therefore are required to this process personal information for such purposes even if you have not consented to us doing so.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the school in writing.

2) To protect someone's vital interests

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

3) With the consent of the individual to whom that information 'belongs'

Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so.

In 3 these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

4) To perform a public task

It is a day-to-day function of the school to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that pupils are properly educated and supported. Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

Please be aware that an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting the school to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, the school will consider the reasons for the objection and balance this against the legitimate grounds to process data.

5) We have a legitimate interest

Occasionally we have reasons to process information which fall outside of our usual day-to-day school functions. Details of the type of processing that we may undertake on this basis are set out in Table 5.

Please be aware that an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting the school to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, the school will consider the reasons for the objection and balance this against the legitimate grounds to process data.

Special category personal information

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Processing relates to personal data which is manifestly made public by the data subject
- 3) Necessary for establishing, exercising or defending legal claims
- 4) Necessary for reasons of substantial public interest
- 5) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 6) Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of special category personal information data that we process is set out in the tables attached.

Who might we share your information with?

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- [Please amend and extend this list to include all other parties with whom you regularly share pupil information. For example:

- School nurse
- NHS
- Public Health and other public health agencies
- Information Management software: SIMS
- Educational apps: Rockstars, MyMaths
- Conferencing software for homework and home learning: Microsoft Teams.
- HR and Payroll

We do not share information about our pupils or parents unless the law and our policies allow us to do so.

Please refer to the tables for information about what personal information is shared with which specific third parties.

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>.

What do we do with your information?

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. The school monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

NHS Test and Trace/Public Health Agencies:

It may be necessary for us to share limited information with the above agencies in the event that an individual tests positive for Coronavirus, or if there is a Coronavirus outbreak. This will enable the named agencies to liaise with families to provide advice and support, and to take appropriate steps in responding to an outbreak.

How long do we keep your information for?

In retaining personal information, the School complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the School are required to retain the information.

A copy of those schedules can be located using the following link:

<http://irms.org.uk/page/SchoolsToolkit>

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

What are your rights with respect of your personal information?

Under data protection law, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or to have access

to your child's educational record. contact the school data protection contact the School Business Manager on office@francheprimary.worcs.sch.uk

Where the school process data for the purposes of legitimate interests or to fulfil their public task, individuals have a right to object to the processing where it is likely to cause, or is causing, harm or distress. When exercising this right, individuals should contact the school to inform them of their reasons for their objection. The school will consider the reasons for any objection and assess the risk to the individual against the purposes for the processing. In the event the school is unable to comply with an objection, we will ensure we can demonstrate compelling legitimate grounds to continue with the processing.

You also have the right to:

- 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 have a concern 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/>

Review

The content of this Privacy Notice will be reviewed annually.

Table 1 – Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Special Category – additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Pupil Records	Legal obligation		DFE	Statutory returns
Safeguarding/Child Protection	Legal obligation		LA/Police/Social Services/Health Professions and other schools	Safeguarding & Child Protection
Exclusion & Behaviour	Public interest/official authority		LA/Social Services	Statutory returns
SEN	Legal obligation		Teaching staff	Statutory returns
Examination Results	Legal obligation		New schools/parents/SLT	Statutory returns
Attendance Registers	Legal obligation		Admin/Attendance Officer/EWO/Social Services/Police/Health/other schools	Safeguarding & Child Protection
Pupil Late book	Legal obligation		Admin/Attendance Officer/EWO/Social	Safeguarding & Child Protection

			Services/Police/Health/other schools	
Pupil File	Legal obligation		Teaching staff/SLT/Admin staff	Safeguarding & Child Protection
Pupil Emergency contacts	Legal obligation		Teaching staff/SLT/Admin staff	Safeguarding & Child Protection
Breakfast & Tea Time registers	Legal obligation		Lunchtime supervisors/Tots staff/Nursery staff/ 726 staff	Safeguarding & Child Protection
Admissions	Legal obligation		DFE/LA/SLT	Safeguarding & Child protection

Table 2 – Personal information we are required to process as it is necessary to protect someone’s vital interests.

Information Type	Relevant legislation	Special Category – additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Student photos	Protect vital interests	Consent/public task	Teaching staff/Kitchen staff	Safeguarding & Child protection
Child’s photo for care plan/medical/dietary needs	Protect vital interests	Protect vital interests	Emergency services/teaching staff/lunchtime supervisors/Kitchen staff	Safeguarding & Child protection
Request for personal data	Protect vital interests	Protect for vital interests	School nurse/new school/EWO/social services	Safeguarding & Child protection

Table 3 – Personal information we are required to process with the consent of the individual to whom that information ‘belongs’.

Information Type	Relevant legislation	Special Category – additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
External club registers	Consent – organiser to seek from parents/carers	Needed for contract	Club organisers share with admin and teachers	Safeguarding & Child protection

Table 4 – Personal information we are required to process because it is necessary to do so in order to perform a public task – please note the right to object will apply to this processing, please see the section above that refers to ‘What are your rights with respect of your information?’

Information Type	Relevant legislation	Special Category – additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Flu Vaccinations	Public interest		NHS/SLT	Safeguarding/Security
Covid 19 test results	Public interest		NHS/SLT	Safeguarding/Security

Table 5 – Personal information we process because we have a legitimate interest.

Information Type	Relevant legislation	Special Category – additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Pupils photos for website/social media	Consent		Public	Consent