



Bearwood Primary School

Data Protection Policy

Policy last reviewed:	May 2018
Date of current review/adopted:	July 2022
Date of next review:	July 2024
Reviewing Governor Committee:	Resources
STATUTORY	

HISTORY OF AMENDMENTS – School Owned Policy		
	Date	Description
1	May 2018	New policy for GDPR compliance
2	July 2022	Updated to reflect current legislation, school practice and change to DPO. Also to include privacy notices based on updated WBC versions.
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Bearwood Primary School

Data Protection Policy

1. Introduction

Bearwood Primary School [hereafter referred to collectively as “The School”] needs to keep certain information about its employees, pupils and parents and other users of its facilities to allow it to monitor performance, achievements, health and safety and other statutory requirements. It also needs to process information so that staff can be recruited and paid, and legal obligations to funding bodies and the government complied with.

Our school aims to ensure that all personal data collected about staff, pupils, parents, governors, visitors and other individuals is collected, stored and processed in accordance with the General Data Protection Regulations (GDPR) and the provisions of the Data Protection Act 2018 (DPA 2018).

This policy applies to all personal data, regardless of whether it is in paper or electronic format.

2. Legislation and Guidance

This policy meets the requirements of the GDPR and the provisions of the DPA 2018. It is based on guidance published by the Information Commissioner’s Office (ICO) on the GDPR and the ICO’s code of practice for subject access requests.

It also reflects the ICO’s code of practice for the use of surveillance cameras and personal information.

In addition, this policy complies with regulation 5 of the Education (Pupil Information) (England) Regulations 2005, which gives parents the right of access to their child’s educational record.

3. Definitions

Term	Definition
Personal data	Any information relating to an identified, or identifiable, individual. This may include the individual’s: <ul style="list-style-type: none">• Name (including initials)• Identification number• Location data• Online identifier, such as a username It may also include factors specific to the individual’s physical, physiological, genetic, mental, economic, cultural or social identity.
Special categories of personal data	Personal data which is more sensitive and so needs more protection, including information about an individual’s: <ul style="list-style-type: none">• Racial or ethnic origin• Political opinions• Religious or philosophical beliefs• Trade union membership

	<ul style="list-style-type: none"> • Genetics • Biometrics (such as fingerprints, retina and iris patterns), where used for identification purposes • Health – physical or mental • Sex life or sexual orientation
Processing	Anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying. Processing can be automated or manual.
Data subject	The identified or identifiable individual whose personal data is held or processed.
Data controller	A person or organisation that determines the purposes and the means of processing of personal data.
Data processor	A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller.
Personal data breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.

4. The Data Controller

Our school processes personal data relating to parents, pupils, staff, governors, visitors and others, and therefore is recognized as a data controller.

The school is registered as a data controller with the ICO. This information is available on a public register and registration is renewed annually.

5. Data Protection Principles

The GDPR sets out 6 principles of data processing which our school must comply with.

The principles say that personal data must be:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary for the purposes for which it is processed
- Processed in a way that ensures it is appropriately secure

This policy sets out how Bearwood Primary School will comply with these principles.

6. Roles and Responsibilities

This policy applies to **all staff** employed by our school and is incorporated in the formal contract of employment. Infringement of the requirements of this policy may result in disciplinary action being taken. For the purposes of this document reference to “employee” or “member of staff” includes any person or organisation carrying out work on behalf of the school as a volunteer, contractor, consultant or any other similar role.

6.1 Governing Body

The Governing Body accepts full responsibility for data protection management within the school and has overall responsibility for ensuring that the school complies with all relevant data protection obligations. The Governors will monitor the effectiveness of the implementation of this policy and will revise it when necessary.

6.2 Data Protection Officer

The data protection officer (DPO) is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable.

They will provide an annual report of their activities directly to the governing board and, where relevant, report to the board their advice and recommendations on school data protection issues.

The DPO is also the first point of contact for individuals whose data the school processes, and for the ICO. Full details of the DPO’s responsibilities are set out in their job description.

The contact details for our DPO are:

Role	Name	Email	Phone
Data Protection Officer	Lynne Amor School Business Manager	dpo@bearwood-pri.wokingham.sch.uk	0118 978 4628

6.3 Headteacher

The Headteacher acts as the representative of the data controller on a day-to-day basis.

6.4 All staff

All school staff deal with the School’s data in order to undertake their normal duties. These staff are made aware that they are responsible for:

- Collecting, storing and processing any personal data in accordance with this policy
- Informing the school of any changes to their personal data, such as a change of address
- Informing the School of any errors in their personal information
- Contacting the DPO in the following circumstances:
 - With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure
 - If they have any concerns that this policy is not being followed
 - If they are unsure whether or not they have a lawful basis to use personal data in a particular way

- If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the European Economic Area
- If there has been a data breach
- Whenever they are engaging in a new activity that may affect the privacy rights of individuals
- If they need help with any contracts or sharing personal data with third parties

Staff are also made aware of the liabilities if they knowingly or recklessly disclose personal data or breach the School's Data Protection policy. This includes understanding that a serious breach of the policy is a disciplinary offence and may lead to legal action by the ICO.

7. Collecting Personal Data

7.1 Lawfulness, fairness and transparency

We will only process personal data where we have one of 6 'lawful bases' (legal reasons) to do so under data protection law:

- The data needs to be processed so that the school can **fulfil a contract** with the individual, or the individual has asked the school to take specific steps before entering into a contract
- The data needs to be processed so that the school can **comply with a legal obligation**
- The data needs to be processed to ensure the **vital interests** of the individual e.g. to protect someone's life
- The data needs to be processed so that the school, as a public authority, can perform a task **in the public interest**, and carry out its official functions
- The data needs to be processed for the **legitimate interests** of the school or a third party (provided the individual's rights and freedoms are not overridden)
- The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent**

For special categories of personal data, we will also meet one of the special category conditions for processing which are set out in the GDPR and Data Protection Act 2018.

If we offer online services to pupils, such as classroom apps, and we intend to rely on consent as a basis for processing, we will get parental consent (except for online counselling and preventive services). Whenever we first collect personal data directly from individuals, we will provide them with the relevant information required by data protection law.

7.2 Limitation, minimisation and accuracy

We will only collect personal data for specified, explicit and legitimate reasons. We will explain these reasons to the individuals when we first collect their data.

If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned before we do so, and seek consent where necessary.

Staff must only process personal data where it is necessary in order to do their jobs.

When staff no longer need the personal data they hold, they must ensure it is deleted or anonymised. This will be done in accordance with the guidance set out in the *Information and Records Management Society's Toolkit for Schools*.

8. Sharing Personal Data

We will on occasion share personal data with a third party. This will not happen without consent unless the law allows us to do so. Examples of data sharing include, but are not limited to where:

- There is an issue with a pupil or parent/carer that puts the safety of our staff at risk
- We need to liaise with other agencies – we will seek consent as necessary before doing this
- Our suppliers or service providers may need data to enable us to provide services to our staff and pupils – for example, IT companies. When doing this, we will:
 - Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with data protection law
 - Establish a data sharing agreement with the supplier or contractor, either in the contract or as a standalone agreement, to ensure the fair and lawful processing of any personal data we share
 - Only share data that the supplier or contractor needs to carry out their service, and information necessary to keep them safe while working with us

We will also share personal data with law enforcement and government bodies where we are legally required to do so, including for:

- The prevention or detection of crime and/or fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax owed to HMRC
- In connection with legal proceedings
- Where the disclosure is required to satisfy our safeguarding obligations
- Research and statistical purposes, as long as personal data is sufficiently anonymised or consent has been provided

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

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.

9. Subject Access Requests and other Rights of Individuals

9.1 Subject Access Requests (SAR)

Individuals have a right to make a 'Subject Access Request' to gain access to personal information that the school holds about them. If a SAR is received the school and we do hold information on the individual, or their child, will provide the individual with:

- a description of the personal data held
- an explanation of why we are holding and processing it, and how long we will keep it for
- an explanation of where we got it from
- information on who it has been, or will be, shared with
- details on whether any automated decision-making is being applied to the data, and any consequences of this
- a copy of the information in an intelligible form

Subject access requests must be submitted in writing, either by letter or email to the DPO. They should include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested

If staff receive a subject access request they must immediately forward it to the DPO.

9.2 Children and Subject Access Requests

Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent.

Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at our school may be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

9.3 Responding to Subject Access Requests

When responding to requests, we:

- May ask the individual to provide 2 forms of identification
- May contact the individual via phone to confirm the request was made
- Will respond without delay and within 1 month of receipt of the request
- Will provide the information free of charge
- May tell the individual we will comply within 3 months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within 1 month, and explain why the extension is necessary

We will not disclose information if it:

- Might cause serious harm to the physical or mental health of the pupil or another individual
- Would reveal that the child is at risk of abuse, where the disclosure of that information would not be in the child's best interests
- Is contained in adoption or parental order records
- Is given to a court in proceedings concerning the child

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee which takes into account administrative costs.

A request will be deemed to be unfounded or excessive if it is repetitive, or asks for further copies of the same information.

When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO.

9.4 Other Data Protection Rights of the Individual

In addition to the right to make a subject access request (see above), and to receive information when we are collecting their data about how we use and process it, individuals also have the right to:

- Withdraw their consent to processing at any time
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest
- Request a copy of agreements under which their personal data is transferred outside of the European Economic Area
- Object to decisions based solely on automated decision making or profiling (decisions taken with no human involvement, that might negatively affect them)
- Prevent processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Make a complaint to the ICO
- Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

Individuals should submit any request to exercise these rights to the DPO. If staff receive such a request, they must immediately forward it to the DPO.

10. Parental Requests to see the Educational Record of their Child

Parents, or those with parental responsibility, have a legal right to free access to their child's educational record (which includes most information about a pupil) within 15 school days of receipt of a written request.

11. CCTV

We use CCTV in various locations around the school site to ensure it and its user's remains safe. We will adhere to the ICO's guidance for the use of CCTV.

We do not need to ask individuals' permission to use CCTV, but we make it clear where individuals are being recorded. Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use.

The data collected from the CCTV images is managed by a small nominated group of staff and images are only passed on to third parties in response to emergency or security incidents.

Any enquiries about the CCTV system should be directed to the DPO.

12. Photographs and Videos

As part of our school activities, we may take photographs and record images of individuals within our school.

At the time of enrolment written consent is obtained from parents/carers for photographs and videos to be taken of their child for use by the school. Uses include:

- Within school on notice boards and in school magazines, brochures, newsletters, etc.
- Outside of school by external agencies such as the school photographer, newspapers, campaigns

- Online on our school website or social media pages

Consent can be refused or withdrawn at any time. If consent is withdrawn, we will delete the photograph or video and not distribute it further.

When using photographs and videos in this way we will not accompany them with any other personal information about the child, to ensure they cannot be identified.

See our Child Protection policy for more information on our use of photographs and videos.

On occasion third parties may request to photograph external events and workshops attended by our school. On such occasions we will clearly explain how the photograph/video will be used and specific consent will be sought.

Where children participate in school productions parents/carers may use their own devices to take photographs. It is expected that parents/carers respect the choice of others and act in accordance with this policy by not using photographs that contain other individuals onto social media sites. If a parent/carer wishes to use a personal photograph of their child it is their responsibility to ensure that any other children are cropped out or obscured from view.

13. Data Protection by Design and Default

We will put measures in place to show that we have integrated data protection into all of our data processing activities, including:

- Appointing a suitably qualified DPO, and ensuring they have the necessary resources to fulfil their duties and maintain their expert knowledge
- Only processing personal data that is necessary for each specific purpose of processing, and always in line with the data protection principles set out in relevant data protection law (see section 5)
- Completing privacy impact assessments where the school's processing of personal data presents a high risk to rights and freedoms of individuals, and when introducing new technologies (the DPO will advise on this process)
- Integrating data protection into internal documents including this policy, any related policies and privacy notices
- Regularly training members of staff on data protection law, this policy, any related policies and any other data protection matters;
- Regularly conducting reviews and audits to test our privacy measures and make sure we are compliant
- Maintaining records of our processing activities, including:
 - For the benefit of data subjects, making available the name and contact details of our school and DPO and all information we are required to share about how we use and process their personal data (via our privacy notices – see Appendix 1)
 - For all personal data that we hold, maintaining an internal record of the type of data, data subject, how and why we are using the data, any third-party recipients, how and why we are storing the data, retention periods and how we are keeping the data secure

14. Data Security and Storage of Records

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

In particular:

- Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal data are kept under lock and key when not in use
- Papers containing confidential personal data must not be left on office and classroom desks, on staffroom tables, pinned to notice/display boards, or left anywhere else where there is general access
- Where personal information needs to be taken off site, staff must sign it in and out from the school office
- Passwords that are at least 8 characters long containing letters and numbers are used to access school computers, laptops and other electronic devices. Staff and pupils are reminded to change their passwords at regular intervals
- Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices
- Staff, pupils or governors are not permitted to store personal information on their personal devices
- Where we need to share personal data with a third party, we carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected (see section 8)

15. Disposal of Records

The disposal of records is completed in accordance with the guidance set out in the *Information and Records Management Society's Toolkit for Schools* which complies with legislation and statutory requirements.

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.

For example, we will shred or incinerate paper-based records, and overwrite or delete electronic files. We may use a third party to safely destroy paper files and electronic equipment which could have stored personal data. If we do so we will ensure that the third party provided sufficiently guarantees that they comply with data protection law.

16. Personal Data Breaches

The school will make all reasonable endeavours to ensure that there are no personal data breaches.

In the unlikely event of a suspected data breach, we will follow the procedure set out in Appendix 2.

When appropriate, we will report the data breach to the ICO within 72 hours. Such breaches in a school context may include, but are not limited to:

- A non-anonymised dataset being published on the school website which shows the exam results of pupils eligible for the pupil premium
- Safeguarding information being made available to an unauthorised person
- The theft of a school laptop containing non-encrypted personal data about pupils

17. Training

All staff and governors are provided with data protection training as part of their induction process.

Data protection will also form part of continuing professional development, where changes to legislation, guidance or the school's processes make it necessary.

18. Monitoring and Review

The DPO is responsible for monitoring and reviewing this policy.
This policy will be reviewed every two years or earlier if required.

19. Links with other policies

This data protection policy is linked to our Acceptable Use Policy

Appendix 1a – Privacy Notices: Parents/Carers

Privacy Notice (How we use pupil information)

Bearwood Primary School is the Data Controller for the use of personal data in this privacy notice. This document provides insight into how information about pupils is used in our school.

The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs information (including needs and ranking)
- medical and administration (such as doctors' information, child health, dental health, allergies, medication and dietary requirements)
- attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage and phonics results, external examinations and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- information relating to remote learning/pastoral support
- CCTV images

Why we collect and use this information

We collect and use pupil information for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment and progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep pupils safe and healthy (e.g. food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us (e.g. DfE data collections)

The lawful basis we rely on to process this information

Under the UK General Data Protection Regulation (UK GDPR), the lawful basis we rely on for processing pupil information is:

- for the purposes of a), b), c) & d) in accordance with the legal basis of Public task: collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function
- for the purposes of e) in accordance with the legal basis of Vital interests: to keep children safe (food allergies, or medical conditions)
- for the purposes of f) in accordance with the legal basis of Legal obligation: data collected for DfE census information:
 - [section 537A of the Education Act 1996](#),
 - [the Education Act 1996 s29\(3\)](#)

- [the Education \(School Performance Information\)\(England\) Regulations 2007](#)
- [regulations 5 and 8 School Information \(England\) Regulations 2008](#)
- [the Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2013](#)

Collecting pupil information

Pupil data is essential for the school's operational use. 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 data protection legislation we will inform you at the point of collection whether you are required to provide certain pupil information or if you have a choice and we will tell you what you need to do if you do not want to share this information with us.

We collect pupil information via registration forms at the start of the school year, secure file transfer from previous schools and individual requests to parents/carers as and when required.

Storing pupil data

We store personal pupil data for as long as the child is attending Bearwood Primary School or for as long as we are required to by law or for as long as is necessary to complete the task for which it was originally collected. The recommended timeframe is set out in the *Information and Records Management Society's Toolkit for Schools*.

Who we share pupil information with and why

We do not share information about our children with any third parties 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 our local authority and the DfE under:

- [section 537A of the Education Act 1996](#)
- [the Education Act 1996 s29\(3\)](#)
- [the Education \(School Performance Information\)\(England\) Regulations 2007](#)
- [regulations 5 and 8 School Information \(England\) Regulations 2008](#)
- [the Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2013](#)
- [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.

Where it is legally required, or necessary, and complies with the GDPR we also share pupil information with:

- Schools that the pupil attends after leaving us
- Or local authority
- The Department for Education (DfE)
- Our regulator, i.e. Ofsted
- The pupil's family
- The school nurse
- Educators and examining bodies

- Suppliers and service providers
- Health authorities/health and social welfare organisations
- Law enforcement/legal organisations

Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under the [Schools Admission Code](#), including conducting Fair Access Panels.

Use of your personal information for marketing purposes

Where you have given us consent to do so, the school may send you marketing information by e-mail promoting school events, campaigns, charitable causes or services that may be of interest to you. You can "opt out" of receiving these e-mails at any time by informing the school office.

Requesting access to your personal data

Under data protection legislation, 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 be given access to your child's educational record, please contact the school using the details at the end of this document.

You also have the right to:

- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

If you would like to get a copy of the information about you that Wokingham Local Authority shares with the DfE or how they use your information, please contact

Data Protection Officer, Wokingham Borough Council, Shute End, Wokingham RG40 1WH.

More information and an online form are available via this link: <http://www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/>

Updates to this privacy notice

We may need to update this privacy notice periodically, but the latest version will always be available on the school website.

Contact

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 raise a concern or to make a complaint, please contact:

Role	Name	Email	Phone
Data Protection Officer	Lynne Amor School Business Manager	dpo@bearwood-pri.wokingham.sch.uk	0118 978 4628

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:

If you would like to discuss anything in this privacy notice please use the contact details above.

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 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'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.

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>

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's 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 DfE: <https://www.gov.uk/contact-dfe>

Appendix 1b – Privacy Notices: Staff

Privacy Notice (How we use school workforce information)

Bearwood Primary School is the Data Controller for the use of personal data in this privacy notice. This document provides insight into how we use information about school staff [including supply teachers, volunteers and job applicants]. For job applicants and volunteers, information will only be collected and shared as relevant to their role.

The categories of school workforce information that we collect, process, hold and share include:

- Personal information (such as name, DOB, employee or teacher number, national insurance number, contact details, payroll/banking details for paid staff, DBS checks)
- ‘Special categories’ of data including characteristics information such as gender, age, ethnic group, trade union membership (only where deductions are made directly from the payroll system)
- Contract information (such as start dates, hours worked, post, roles and salary information)
- Work absence information (such as number of absences and reasons)
- Qualifications (and, where relevant, subjects taught)
- Relevant medical information
- Information relating to the use of remote communication and meeting tools
- CCTV images
- Information relating to the performance of paid staff
- Declarations about suitability to work relating to the Childcare (Disqualification) Regulations

Why we collect and use this information

We use school workforce data to:

- Enable individuals to be paid and inform HMRC and pensions administrators
- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Provide information for emergencies

The lawful basis on which we process this information

We process this information in order to comply with the Education Act 1996 and under the UK General Data Protection Regulation (UK GDPR). The lawful basis we rely on for processing personal information is:

- 6.1(c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- 6.1(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
(See <https://www.legislation.gov.uk/eur/2016/679/article/6>)

In addition for ‘special categories’ of data:

- 9.2(a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where domestic law provides that the prohibition referred to in paragraph 9.1 may not be lifted by the data subject;
- 9.2(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by domestic law or a collective agreement pursuant to domestic law providing for appropriate safeguards for the fundamental rights and the

interests of the data subject;
(See <https://www.legislation.gov.uk/eur/2016/679/article/9>)

See also: <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/>

Collecting this information

Workforce data is essential for the local authority's operational use. Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you at the point of collection whether you are required to provide certain school workforce information to us or if you have a choice. Where we are processing your personal data with your consent, you have the right to withdraw that consent.

We collect personal information via new starter forms.

Storing this information

We hold school workforce data on local computer systems, as well as on paper. Appropriate security arrangements are in place and there are strict controls on who can see your information. Arrangements for the safe use of data are set out in our policy.

We will hold data for as long as necessary in line with our data retention schedule, after which the information will be securely destroyed.

Who we share this information with

We routinely share this information with:

- our payroll provider
- our Local Authority
- the Department for Education (DfE)
- our occupational health provider

Why we share school workforce information

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

Local Authority

We are required to share information about our workforce members with our Local Authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Department for Education (DfE)

We share personal data with the DfE on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment of educational attainment.

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.

We are required to share information about our school employees with our Local Authority (LA) and the DfE under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Payroll provider

Your data will be held by our payroll provider to enable us to process payments to you.

Data collection requirements and how government uses your data

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

- informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The DfE may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The DfE has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

If you want to see the personal data held about you by the Department, you should make a 'Subject Access Request'. Further information on how to do this can be found within the Department's 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 DfE: <https://www.gov.uk/contact-dfe>

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, please contact the school using the details at the end of this document.

Depending on the lawful basis above, you may 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 about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

If you would like more information about the information that Wokingham Local Authority holds about you, please contact: Data Protection Officer, Wokingham Borough Council, Shute End, Wokingham RG40 1WH. More information and an online form are available via this link: <http://www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/>

Updates to this privacy notice

We may need to update this privacy notice periodically, but we will ensure that staff always have access to the latest version.

Contact

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 raise a concern or to make a complaint, please contact:

Role	Name	Email	Phone
Data Protection Officer	Lynne Amor School Business Manager	dpo@bearwood-pri.wokingham.sch.uk	0118 978 4628

Appendix 1c – Privacy Notices: Governors and Volunteers

Privacy Notice for School Governors

This document provides insight into how information about school governors is used in our school.

The information that we collect, process, hold and share includes:

- Name, contact details, type of governor and start/end dates of term of office
- Business and Financial Interests, including relationships with staff members in school
- Governance roles in other schools
- Attendance at meetings and training sessions
- Information relating to the use of remote communication and meeting
- CCTV images

Why we collect and use this information

We collect governor data to fulfil official functions, meet statutory duties and thereby comply with the requirement to inform parents as well as the DfE and Local Authority.

The lawful basis on which we process this information

We process this information to meet our legal obligation under [section 538 of the Education Act 1996](#) [and academy trusts, under the [Academies Financial Handbook](#)] and also under the UK General Data Protection Regulation (UK GDPR). The lawful basis we rely on for processing personal information is:

- 6.1(c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- 6.1(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
(See <https://www.legislation.gov.uk/eur/2016/679/article/6>)

See also: <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/>

Collecting this information

Whilst the majority of information you provide to us is mandatory, some of it may be provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice. Where we are processing your personal data with your consent, you have the right to withdraw that consent.

Storing this information

We hold data on local computer systems, as well as on paper. Appropriate security arrangements are in place and there are strict controls on who can see your information. Arrangements for the safe use of data are set out in our policy.

We will hold data for a long as necessary in line with our retention schedule, after which the information will be securely destroyed.

Who we share this information with and why

We publish some of this information on our website and routinely share some of it with our Local Authority and the DfE as required, e.g. for data returns. We do not share information about school governors with anyone else without consent unless the law and our policies allow us to do so. To find out more about the data collection requirements placed on us by the DfE including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, please contact the school using the details at the end of this document.

You also have the right to:

- have your personal data rectified, if it is inaccurate or incomplete
- request the deletion or removal of personal data where there is no compelling reason for its continued processing
- restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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/>

If you would like more information about the information that Wokingham Local Authority holds about you, please contact: Data Protection Officer, Wokingham Borough Council, Shute End, Wokingham RG40 1WH. More information and an online form are available via this link:

<http://www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/>

How Government uses your data

The governance data that we lawfully share with the DfE via the 'Get Information About Schools' service (GIAS):

- will increase the transparency of governance arrangements
- will enable maintained schools and academy trusts and the department to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context
- allows the department to be able to uniquely identify an individual and in a small number of cases conduct checks to confirm their suitability for this important and influential role

Data collection requirements

To find out more about the requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/government/news/national-database-of-governors>

Note: Some of these personal data items are not publicly available and are encrypted within the GIAS system. Access is restricted to a small number of DfE staff who need to see it in order to fulfil their official duties. The information is for internal purposes only and not shared beyond the department, unless the law allows it.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's 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 DfE: <https://www.gov.uk/contact-dfe>

Updates to this privacy notice

We may need to update this privacy notice periodically, but we will ensure that governors always have access to the latest version.

Further information

If you would like to discuss anything in this privacy notice, or 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 raise a concern or to make a complaint, please contact:

Role	Name	Email	Phone
Data Protection Officer	Lynne Amor School Business Manager	dpo@bearwood-pri.wokingham.sch.uk	0118 978 4628

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