



The City Classroom



Privacy Notice (How we use pupil information)

Who we are

For the purpose of Data Protection Requirements * the Data Controller is Rushey Mead Primary School, Gypsy Lane, Leicester, LE4 6RB. We are registered as a Data Controller with the ICO: Ref Z6900036.

Contacting us

If you want to request further information about this privacy notice or exercise any of your rights, please contact the school by phone on 0116 2661114 or by email at office@rusheymead-pri.leicester.sch.uk or our Data Protection Officer on 01757 616885 or info@bls-ltd.co.uk

Our commitment to you

We are committed to protecting and respecting your privacy. We recognise the trust placed in us by individuals whose information we use.

This privacy notice (together with any other documents referred to in it) sets out the basis on how any personal data we collect from you, or that you provide to us, or that we obtain about you or your child will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it. We are committed to ensuring that we do so in a manner that is both lawful and respects your privacy.

This notice applies to the general public including our parents and guardians and their children attending 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 (including the needs and ranking)

Gypsy Lane, Leicester. LE4 6RB

Telephone: (0116) 266 1114

E-mail: office@rusheymead-pri.leicester.sch.uk

Website: www.rusheymead-pri.co.uk

Headteacher: Debra Bailey Deputy Headteacher: Nitash Odedra

- medical and administration (such as doctor's information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- information about safeguarding concerns
- information to allow us to run trips and residential visits
- photographs and moving images
- CCTV images captured in or around our premises

This list is not exhaustive. Please contact the school office if you have any further questions regarding the categories of pupil information we process.

Why we collect and use pupil information

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

We collect and use pupil information for the following purposes:

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

Lawful basis

Our primary lawful basis is one of a *public task* expected on us as a primary school. Our principal objective and activity is to provide education for pupils of different abilities and needs. We provide education for pupils who are wholly or mainly drawn from the local community in which we are situated.

Our processing of your child's and your data is necessary for carrying out these specific tasks in the public interest, which is laid down by law; or by us exercising our official tasks, functions, duties or powers, which is laid down by legislation that we are required to comply with, for example our obligations under the Children Act 2004.

Rushey Mead Primary School has a legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, Local Authority or the Dept for Education (DfE).

We collect and use personal data in order to meet our legal requirements set out in UK law, including those in relation to the following:

- Education Act 1996.
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013
- The Children's Act 1989
- The Charities Act 2011
- Data Protection Act 2018
- Finance Act 2010

In exceptional situations, we may need to protect your child's, our staff or your own vital interests (or someone else's interests), for example to protect their life or the life of someone else.

From time to time, we will also rely on our legitimate interests to collect and use your personal data, for example if we facilitate or offer some after-school or extra-curricular activities.

Occasionally, we may wish to use your child's data for other means not falling under our lawful requirements and in those cases, we would ask for your consent. Where we are processing your personal data with your consent, you have the right to withdraw that consent.

Special Category Data

Special Category Data includes information about:

- a) Personal data revealing racial or ethnic origin
- b) Personal data revealing political opinions
- c) Personal data revealing religious or philosophical beliefs
- d) Personal data revealing trade union membership
- e) Genetic data
- f) Biometric data (where used for identification purposes)
- g) Data concerning health
- h) Data concerning a person's sex life

Where we are required to collect special category data about your child or you (see below), we will use the following lawful bases of the UK GDPR which permits us to process special category data:

- Article 9(2)(h) – processing is necessary for the purposes of preventive or occupational medicine, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3.
- Article 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.
- Article 9(2)(a) – where you give us explicit consent to process your data.
- Article 9(2)(c) – to protect your vital interests or those of another person where you are incapable of giving your consent.
- Article 9(2)(f) – where the processing is for the purposes of establishing, exercising or defending legal claims or by courts when they are acting in their judicial capacity.
- In addition, we rely on processing conditions at Schedule 1 part 1 of the Data Protection Act 2018, including where the processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on us as a data controller or you in connection with employment, social security or social protection, and for our statutory purposes, equality of opportunity or treatment, to support volunteers with a particular disability or medical condition, counselling, for safeguarding of children and individuals at risk, and our insurance provider's conditions.

We may also ask for your specific consent to process such data.

Collecting pupil information

Rushey Mead Primary is a local authority (LA) maintained school. It is the core purpose of Rushey Mead Primary to continually strive to be a highly effective learning organisation where the learning of all children and adults is valued and promoted.

It is important to us that we inform you about the information we collect and why we collect it. The information we collect and the reason for collecting it are different for different groups of individuals.

Collecting pupil data is essential for the school's operational use. Whilst the majority of pupil information you provide to us is compulsory, we do request some on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

We sometimes collect information about pupils via Common Transfer File (CTF) from another school if they have attended another setting before joining us, but most of the personal information we process is provided to us directly by you for one of the following reasons:

- You have enrolled a pupil at our school
- You wish to attend or have attended an event organised by us
- You have made an enquiry to us
- You have made a complaint to us
- You have made an information request to us
- You have applied for a job or secondment with us

We also receive personal information indirectly, for example:

- We have contacted another organisation about a pupil, and it gives us your personal information in its response
- Your personal information is contained in reports from other agencies such as the Local Authority or the NHS
- A complainant refers to you in their complaint correspondence
- Other parents include information about you in their reporting to us
- From other public authorities, regulators or law enforcement bodies

We hold pupil data securely for the set amount of time shown in our data retention schedule.

For more information on our data retention schedule and how we keep your data safe, please contact Rushey Mead Primary School or our Data Protection Officer.

Storing pupil data

All personal information of pupils is stored on our systems on secure servers. We operate a suite of IT and security policies to ensure your information is kept secure, including appropriate access and auditing controls.

We use anti-virus software and fire walls to protect against cyber-attack. Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal information, we cannot guarantee the security of information you send to us that is outside of our security arrangements; any transmission is at your own risk.

We also operate strict physical security procedures and our staff all receive security and data protection awareness training.

We only keep information for as long as necessary in accordance with legislation or relevant regulations, and in line with our data retention schedules. Once we no longer need to keep your information, we remove it from our systems or securely dispose of it. If you would like more information about this, please contact the school office.

Who we share pupil information with and why we share it

We routinely share pupil and parent/carer information with:

- Educational institutions that pupils attend after leaving us
- The local authority (for admissions, exclusions etc.) and safeguarding boards
- The Department for Education (DfE)
- The NHS (for referrals, vaccinations etc.)
- The Police and Social Services (for example where there are safeguarding concerns).
- OFSTED, where relevant and lawful
- Internally for performance review and assessment purposes, including our governing body who retain ultimate accountability and responsibility for the operation of the school and our own staff.

We also share personal data with third party organisations who provide professional services to us.

This data is only shared where it is essential for the service to be provided. We currently provide pupil level data for the following purposes, for example to provide core school business services such as our IT systems and to support learning through curriculum products.

A full current list of third-party organisations that we may share data with is available on request from school. We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so, for example the school is required to share pupils' data with the Dept for Education on a statutory basis.

On occasions, we may be required by law to share your child's or your information with other agencies, for example with the Police or Social Services concerning safeguarding enquiries. You will not be informed when this has taken place.

The National Pupil Database (NPD) is managed by the DfE and contains information about pupils in schools in England. Rushey Mead Primary School is required by law to provide information about our pupils to the DfE as part of the statutory data collections, such as the school census. Some of this information is then stored in the NPD. The DfE may share information about our pupils from the NPD with third parties who promote the education or wellbeing of children in England by:

- Conducting research or analysis
- Producing statistics
- Providing information, advice and guidance

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The DfE has robust processes in place to ensure the confidentiality of any data shared from the NPD is maintained. Decisions on whether the DfE releases 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
- The arrangements in place to store and handle the data

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

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.

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. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

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>.

Your data protection rights

We take the protection of your personal data very seriously and respect your privacy in accordance with data protection legislation and best practice. You have rights relating to your personal information. You can find more information about your privacy rights on the Information Commissioner's Office website www.ico.org.uk

You have the right to be informed about how and why we process your personal information and any time you give us personal information you have the right to be informed about why we need it and how we'll use it.

You can find most of the information you need in this Privacy Notice.

You have the right of access to your own information

You have a right of access to any of your personal data that we hold about you. You can contact us at any time to gain information about what data we hold about you and why we hold it. Please contact the school or the Data Protection Officer through the above channels for further information about how we comply with this right.

If you make a formal request, we will respond to acknowledge your request and will first require you to prove your identity. We may also ask you for information about any specific

information you are seeking to help us make sure we meet your request fully and speed up the process.

If you agree, we will try to deal with your request informally, for example by providing you with the specific information you need over the telephone.

We will provide you the information that you are entitled to as soon as possible and without unreasonable delay and at the latest within one month of your identity being verified by us.

In exceptional cases, we may extend the period of compliance by a further two months if the request(s) are complex or numerous. If this is the case, we will inform you within one month of the receipt of the request and explain why the extension is necessary.

There is no charge made for this right of this access by Rushey Mead Primary School.

To make a request for any personal information we may hold, we would ask that you contact Rushey Mead Primary School or our Data Protection Officer through the above channels.

You have the right to ask us to correct or delete your information

If you believe information we hold about you to be inaccurate or incomplete, you can ask us to correct it or complete it at any time, e.g. the spelling of your name or your contact information.

You also have the right to ask for our processing of your personal data to be restricted. For example, if you are contesting the accuracy of data we are using about you. In such cases, we will restrict our processing while we verify the accuracy of the data that we hold.

You can also ask for certain information about you to be deleted. For example, if you are moving out of the area.

In certain cases, we will be unable to delete your information if there are statutory grounds to retain it (i.e. HMRC, Safeguarding purposes or other legal requirements).

You have the right to data portability

You have the right to data portability where processing is automated, although we do not currently carry out any such processing. If we do in future, you can make a request and this data can be exported from our systems for you.

You have the right to withdraw your consent

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting Wendy West, Business Manager at Rushey Mead Primary School on telephone: 0116 266 1114. Please note that if you withdraw your consent, we may not be able to provide certain services to you as a result.

Making a complaint

Rushey Mead Primary School tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive details of all aspects of Rushey Mead Primary's collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to Rushey Mead Primary School or our Data Protection Officer.

If you believe that Rushey Mead Primary School has not complied with your data protection rights, you can complain to the Information Commissioner's Office. Their address is Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by calling 0303 123 1113.

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 exam/SATs 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)

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>.

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated October 2021.

** Data Protection Requirements means the Human Rights Act 1998, Data Protection Act 2018, the UK General Data Protection Regulation, the Regulation of Investigatory Powers Act 2000, the Education Act 1996, Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013, the Telecommunications (Lawful Business Practice)(Interception of Communications) Regulations 2000 (SI 2000/2699), the Electronic Communications Data Protection Directive 2002/58/EC, the Privacy and Electronic Communications (EC Directive) Regulations 2003, the Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2011, and all other applicable laws and regulations relating to processing of personal data and privacy in any applicable jurisdiction as amended and replaced, including where applicable the guidance and codes of practice issued by the UK Information Commissioner or such other relevant data protection authority.*