



<b>Date of Policy Review:</b>	<b>Reviewer:</b>	<b>Date Ratified by Governors:</b>	<b>Date Shared with Staff:</b>	<b>Date of next Review</b>
September 2018	D. Byron and J. Byford	November 2018	September 2018	September 2019

**Article 16:** *Children have the right to privacy*

**Article 28:** *Children have a right to a good quality education*

**Article 29:** *Children have the right to an education which develops their interests, talents and abilities*

**Article 36:** *Children have the right to protection from any kind of exploitation (being taken advantage of)*

### **Rights Respecting Schools**

As a Rights-Respecting School, we use children's rights to underpin everything we do and learn. Marlborough Primary School has been working closely with [UNICEF](#), and is a 'Rights Respecting' School. The term is bestowed on those schools who, in the eyes of UNICEF, put the '[UN Convention on the Rights of the Child](#)', (UNCRC) at the heart of their planning, policies, practice and ethos.

UNCRC is a list of rights that all children, everywhere in the world, have. The rights are all the things that children and young people need to make sure they are healthy, happy and safe. A rights-respecting school not only teaches about children's rights, but also models rights and respect in all its relationships: between adults and children, between children themselves, and between adults themselves.





### **Use Of Your Child's Personal Data**

Marlborough Primary School collects a lot of data and information about pupils attending the school so that it can run effectively as a school and so we can meet our responsibilities.

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about pupils. We, Marlborough Primary School, are the 'data controller' for the purposes of data protection law.

### **The Personal Data We Hold**

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Personal information (such as name, unique pupil number, address, gender and date of birth)
- Parent details (such as name, address, telephone number, email, relationship to pupil, etc.)
- Emergency contact details
- Educational information, such as results of internal assessments and externally set tests, schoolwork, school reports and internal educational tracking data.
- Pupil and curricular records, including those from previous setting
- Characteristics, such as ethnic background, religion, home language, eligibility for free school meals, or special educational needs
- Behavioural information, including exclusion information, incidences of bullying and interventions put in place
- Medical information (such as details of any medical conditions, including physical and mental health, medication, allergies and doctor's details)
- Attendance information, including reasons for absences, number of absences and other schools attended.
- Library book lending history
- IT and internet access information, including internet websites accessed.
- Safeguarding information and matters relating to child protection
- Details of any support received, including care packages, plans and support providers
- Photographs for the website, school brochure, social media or other marketing purposes
- CCTV images captured in school

We collect information about pupils when they join the school and update it during their time on the roll as and when new information is acquired. We may also ask you to review some of the personal information we hold to ensure that it is accurate.

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

## Why We Use This Data

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect our pupils and their welfare, as well as others in the school
- Assess the quality of our services and improve educational provision
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

## Our Legal Basis for Using This Data

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

## Collecting This Information

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

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

## How We Store This Data

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. [\*The Information and Records Management Society's toolkit for schools\*](#) sets out how long we keep information about pupils.

## Data Sharing

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions.
- The Department for Education – to meet our legal obligations

- The pupil's family and representatives – to meet our legal obligation to report on attainment and progress.
- Schools that pupils attend after leaving us – collecting data is necessary to enable schools to perform tasks required as part of their statutory function.
- Educators and Examining Bodies – as part of delivering the curriculum.
- Our regulator: Ofsted – to meet their requirements around inspections
- Suppliers and service providers – to enable them to provide the service we have contracted them for, e.g. caterers, to keep children safe (food allergies or medical conditions)
- To enable pupils to access additional services such as catering, instrumental tuition or school visits
- Survey organisations
- Health professionals including the school nurse, educational psychologists, CAMHS, speech therapists and occupational therapists
- Police and law enforcement agencies
- Education welfare officers, including prevent teams in accordance with the Prevent Duty on schools.
- Courts, if ordered to do so
- Health and social welfare organisations
- Our legal advisors

### **National Pupil Database**

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

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.

### **Parents and Pupils' Rights Regarding Personal Data**

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

If you would like to make a request please contact the school's Data Protection Officer, by emailing [jbyford@marlborough.harlow.sch.uk](mailto:jbyford@marlborough.harlow.sch.uk)

The legal timescales to respond to a Subject Access Request is one calendar month. As the school has limited staff resources outside of term time, we encourage parents/pupils to submit Subject Access Requests during term time and

to avoid sending a request during periods when the school is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible.

Parents and Carers also have a legal right to access to their child's educational record. To request access, please contact the school's Head Teacher by emailing [office@marlborough.harrow.sch.uk](mailto:office@marlborough.harrow.sch.uk)

### Other Rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

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

To exercise any of these rights, please contact our data protection officer.

### Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer or the school's data protection lead. Alternatively, you can make a complaint to the Information Commissioner's Office:

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

### Contact Us

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

- C/O Marlborough Primary School: by emailing [jbyford@marlborough.harrow.sch.uk](mailto:jbyford@marlborough.harrow.sch.uk) or calling 020 84273087

This notice is based on the [Department for Education's model privacy notice](#) for pupils, amended for parents and to reflect the way we use data in this school.