

## **Privacy Notice**

22nd May 2018

**Privacy Notice – Data Protection Act 1998** until superseded by the Data Protection Bill 2017-19 once enacted, **and** General Data Protection Regulation 2016/679.

**Throughout our work at Windsor Nursery School, we aim to respect your privacy and ensure that we demonstrate the necessary care in gaining, holding and passing on your information appropriately and securely.**

We (Windsor Nursery School) are the Data Controller for the purposes of the UK Data Protection law (Data Protection Act 1998) until superseded by (Data Protection Bill 2017-19 once enacted) and (The General Data Protection Regulation 2016/679 GDPR).

### **How we use pupil information**

**The categories of pupil information that we process include:**

- personal identifiers, contacts and characteristics (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)
- medical and administration (such as doctors 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)
- behavioural information (such as exclusions)

### **Why we collect and use pupil information**

The personal data collected is essential, in order 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

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

- for the purposes of **(a), (b), (c)** and **(d)** in accordance with the legal basis of Public task: collection 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

In addition, concerning any special category data:

- Conditions a, b, c and d of GDPR – Article 9

### **Collection pupil information**

We obtain pupil information via registration forms at the start of each academic year. In addition, when a child joins us from another school we are sent a secure file containing relevant information.

Further information about children may be received securely from City of Wolverhampton Council .and The Royal Wolverhampton NHS Trust

Pupil data is essential for the schools' 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 GDPR 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.

### **Storing pupil data**

We hold pupil data securely for the set amount of time shown in our data retention schedule. We will not keep your information longer that it is needed and we will dispose of paper records or deleted any electronic personal information in a secure way.

At Windsor Nursery School, we work in a respectful way to ensure care is taken to store your information as securely as possible. We use locked cabinets which are in staff only areas for storage of personal information. All digital information is stored on the school's

computer system with access restricted as appropriate and password protected. Back-up server drives are encrypted.

This is consistent with local authority policies and procedures on ICT security, and is adhered to through our service level agreement with Wolverhampton City Council Schools ICT support.

Under UK Data Protection laws you have rights on how your personal and special category (known as sensitive) information is used. Please see the Information Commissioner's Office guidance on your rights, link here <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you have a complaint in relation to how we manage your personal information, please contact us in the first instance to request an internal review of our response. Contacts details: C Foster – Headteacher on 01902 558128 or [cfoster@windsorcentre.com](mailto:cfoster@windsorcentre.com)

If you follow this procedure and are still not happy, you may wish to contact The Information Commissioner's Office <https://ico.org.uk/global/contact-us/>

### **Who we share pupil information with**

We routinely share pupil information with:

- School that the pupil attends after leaving us
- Our local authority
- The Department for Education (DfE)

### **Why we routinely share pupil information**

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

### **Department for Education**

We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of data collections, 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

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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 on p5

### **Requesting access to your personal data**

Under GDPR, parents and pupils have the right to request access to information about them that we hold. If you have any questions about the information we hold and share about you or if you wish to see your records then please contact Rebecca Pine – Administration and Finance Co-ordinator on 01902 558128 or [rpine@windsorcentre.com](mailto:rpine@windsorcentre.com)

You 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.

Please note that if you are invited to participate in the Early Help Assessment to help us together to identify your child's and family's needs, and asked to give your consent for this process, further details about how we share information appropriately to meet your needs and co-ordinate the services you may receive will be offered to you.

- At Windsor Nursery School, we follow the Department for Education guidance on Information Sharing: DCSF-00807-2008 ISBN: 978-1-84775-273-4
- Photographs of your children are only saved digitally or in hard copy if written consent from you has been obtained, and photographs will only be placed on the Windsor Nursery website if you have given written permission. You have the right to withdraw your consent.

### **Contact**

If you would like to discuss anything in this privacy notice, please contact:

- Rebecca Pine on 01902 558128 or email [rpine@windsorcentre.com](mailto:rpine@windsorcentre.com)
- Our Local Authority [www.wolverhampton.gov.uk](http://www.wolverhampton.gov.uk)

## **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
- local authorities
- researchers

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- organisations connected with promoting the education or well-being 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. 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  
<https://www.gov.uk/government/publications/dfе-external-data-shares>

To contact DfE: <https://www.gov.uk/contact-dfe>