



Privacy Notice for Parents and Carers – Use of your child’s personal data

West Croft School is the ‘data controller’ for the purposes of the UK data protection law and this privacy notice tells you what to expect when we collect and process personal data about pupils, parents and carers at our school.

The school’s Data Protection Officer (DPO) is an external consultant who performs the role under a service contract through the Devon Moors Federation. The DPO can be contacted at: dpo@devonmoorsfederation.devon.sch.uk or through the school’s DPO lead link at: dpo@westcroft.devon.sch.uk.

The categories of data that we process include:

- personal identifiers (such as contact details, contact preferences, date of birth, identification documents, gender)
- characteristics (such as ethnicity, language, nationality)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including care packages, needs, plans and support providers)
- medical information (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 other schools attended)
- assessment and attainment (such as key stage, phonics results, early years profile, evidence of learning and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- correspondence and records of contact
- financial information (such as eligibility to receive additional support and funding)
- catering and free school meals management (such as entitlement and authentication)
- photographs (for internal safeguarding & security purposes, school newsletters, media and promotional purposes)

The school may also collect, use, store and share (when appropriate) information about that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- any medical conditions we need to be aware of, including physical and mental health
- characteristics, such as ethnic background or special educational needs.

We may also hold data about your child that we have received from other organisations, including other schools and social services.

Why we collect and use pupil information

It is essential for the school to collect personal data in order for the school to fulfil their official functions and meet legal requirements.

We collect and use pupil information, for the following purposes:

- support pupil learning
- monitor and report on pupil progress
- provide appropriate pastoral care
- assess the quality of our services
- comply with laws regarding data sharing
- communicate with our pupils and parents/carers

- provide catering and payment services
- provide library, ICT and information services
- process admissions and waiting lists
- maintain pupil records
- keep children safe (such as food allergies, emergency contact details)
- support behaviour management
- assess eligibility for bursaries and grants
- safeguard and promote the welfare of students
- assist in the prevention or detecting of crimes
- respond to complaints, grievances and discipline investigations
- meet the statutory duties placed upon us by the Department for Education

Our legal basis for processing personal information

We will only process your information where we have a lawful reason to do so.

Under the UK General Data Protection Regulation (UK GDPR), there are a number of lawful bases we rely on for processing parent and pupil information:

- public task – where it is necessary for us to perform a task in the public interest or for our official functions and the task has a clear basis in law
- vital interests – when processing data is necessary in order to protect someone’s life
- legal obligation – where processing is necessary to comply with a legal requirement
- consent – where we have obtained the parent’s or pupil’s consent to use data in a certain manner.

Occasionally, where the processing is not part of our performing tasks as a public authority, we may process data under the lawful basis that it is in our legitimate interests or the legitimate interests of a third party to do so. In these circumstances we would be using the data in a way that would be reasonably expected by the parent or pupil concerned and the processing will have a minimal privacy impact or there will be a compelling justification for the processing.

Some of the reasons listed above for collecting and using parents’ or pupils’ personal data may overlap and it may be that more than one lawful basis applies to our processing of the data.

No decisions are made by the school through automated decision making (including profiling).

If we need to collect, share or use ‘special category data’ (eg health or biometric data) we may do so where we are performing our official duties and one of the following applies:

- we have your explicit consent;
- it is necessary for social protection purposes (i.e. safeguarding of individuals at risk; protection from unlawful acts; prevention against fraud);
- we need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- we need to protect an individual's vital interests (i.e. protect your child’s life or someone else’s life), in situations where you’re physically or legally incapable of giving consent
- the data concerned has already been made manifestly public by you
- we need to process it for the establishment, exercise or defence of legal claims
- we need to process it for reasons of substantial public interest as defined in legislation
- we need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- we need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- we need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- we have obtained your consent to use it in a specific way
- we need to protect an individual's vital interests (i.e. protect your child's life or someone else's life), in situations where you're physically or legally incapable of giving consent
- the data concerned has already been made manifestly public by you
- we need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- we need to process it for reasons of substantial public interest as defined in legislation
- we need to comply with a legal obligation under an Act of law (eg The Education Act 1996; Children Act 2004)

Collecting pupil information

West Croft School collects pupil information through school admission, registration, Common Transfer File (CTF) or secure transfer from other schools, agencies working with the school, permission documents and consent forms.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested 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.

Most of the data we hold about your child will come from you, but we may also hold data about your child from:

- local authorities
- government departments or agencies
- police forces, courts, tribunals.

Storing data and record retention

We hold personal data securely for the set amount of time shown in our data retention schedule, which is available on our website at <http://www.westcroft.devon.sch.uk/>. In order to protect data whilst it is in our possession we have data protection policies and procedures in place. These include strong organisational and technical measures and these are reviewed regularly.

Who we share personal information with

We do not share our pupil information with anyone unless we have consent or the law and our policies allow us to do so.

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the DfE either directly or via our local authority for the purpose of those data collections, under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013. Data shared with the DfE underpins school funding and educational attainment policy and monitoring. An example of the information we share with our local authority would be safeguarding concerns or exclusions. We may also 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. All data is transferred securely and held by the DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#). For more information, please see Appendix 1 below: 'How Government uses your data'.

Where there is a legal requirement or it is otherwise necessary and it complies with UK data protection law, we may also share personal information with:

- our local authority (Devon County Council) – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- the Department for Education (DfE) and Government departments
- school nursing teams – (e.g. NHS, Virgin Care)

- schools that the pupil attends after leaving us
- examination boards and moderators
- health and social welfare organisations – (e.g. National Health Service (NHS), Devon Nurses)
- catering and trip payment service providers
- student and parent communication service providers
- student learning service providers
- youth support services
- professional advisers and consultants
- school regulators and financial organisations-(e.g. Ofsted, auditors)
- IT service providers to enable pupil access to learning services
- police forces, courts, tribunals

West Croft School has contracts with a number of carefully vetted suppliers and service providers with whom personal data is shared and/or by whom data is processed. Such data is only shared once appropriate assurances have been obtained regarding the way in which the shared data will be processed and protected. The school shares data and/or processing with the following suppliers and service providers:

- [Class Dojo](#) (Teacher/parent communication app)
- [CPOMS](#) (Safeguarding monitoring software)
- [EducationCity](#) (Pupil name and registration group)
- [EduFOCUS](#) (Evolve – Risk assessment program)
- [Eduspot](#) (Teachers2Parents – contact information of those with parental responsibility)
- [Egress](#) (Secure email and file sharing service)
- [Epic!](#) (Online reading books for KS1 & KS2 – pupil names and registration group)
- [ESS](#) (Primary data processor for administration of parent & pupil records through SIMS)
(Reading Cloud-Junior Librarian.net)
- [Google](#) (Pupil accounts to access learning/teaching tools – pupil name & registration group)
- [Hodder Education](#) (Rising Stars - pupil name and registration group)
- [Jamf](#) (Device teaching / learning tools)
- [Maths Circle Ltd](#) (Times Tables Rock Stars – pupil names and classes)
- [Microsoft Office 365](#) (Cloud service – curriculum and assessment information)
- [Nurtureuk](#) (Boxall mental health & wellbeing assessment tool – pupil names, DOB & assessment information)
- [Optima](#) ([Oshens](#) - Health & safety management system)
- [Oxford University Press](#) (MyMaths – pupil names and classes)
- [ParentPay](#) (School meals & payment system - registered parent and pupil names)
- [Renaissance Learning](#) (Accelerated Reader – pupil names, dates of birth and classes)
- [The Foundation Stage Forum Ltd](#) (Tapestry – pupil names and photographs)
- [Tempest Photography](#) (School photographs)
- [Visitor Management Ltd](#) (VM Easy – pupil/parent name & photo and pupil registration)

For further information please click on the links above to read each company's own privacy notice.

Should we need to transfer personal data to a country outside of the UK, we will do so in accordance with data protection law.

Additional information for children in need and looked-after children

In addition to the details set out in this privacy notice, this section explains how we use supplementary information relating to children in need and looked-after children.

The categories of children in need and looked-after children information that we collect, hold and share include:

- referral and assessment information
- Initial Child Protection information and Child Protection Plan information
- adoptions (such as dates of key court orders and decisions)
- care leavers

We use this additional personal data to:

- a) support these children and monitor their progress
- b) provide them with pastoral care
- c) assess the quality of our services
- d) evaluate and improve our policies on children's social care

Under the UK General Data Protection Regulation (UK GDPR) the lawful basis we rely on for all of these purposes when processing this additional information is that it is processed in accordance with the legal basis of public task. Collecting this data is necessary to perform tasks that the school is required to perform as part of their statutory function.

We share children in need and looked-after children information with:

- the Department for Education (DfE)
- our local authority
- the National Health Service (NHS)
- other appropriate support services as necessary to meet a pupil's individual needs.

We do not share information about our children in need or looked-after children with anyone without consent unless the law and our policies allow us to do so. We share children in need and looked-after children's data with the Department for Education on a statutory basis; under Section 83 of the 1989 Children's Act, Section 7 of the Young People's Act 2008 and also under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

The data that we lawfully share with the DfE through data collections helps to develop national policies, manage local authority performance, administer and allocate funding and identify and encourage good practice. To find out more about the data collection requirements placed on us by the DfE go to:

Looked-after children: <https://www.gov.uk/guidance/children-looked-after-return>

Children in need: <https://www.gov.uk/guidance/children-in-need-census>.

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 us.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

Other rights regarding your personal data

Under UK data protection law, data subjects have certain rights regarding how their personal data is used and kept safe. For example, you have the right to:

- object to our use of your or your child's personal data

- prevent your or your child's data being used to send direct marketing
- object to and challenge the use of your or your child's personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- in certain circumstances, have inaccurate personal data corrected
- in certain circumstances, have the personal data we hold about you or your child deleted or destroyed, or restrict its processing
- withdraw your consent, where you previously provided it for the collection, processing and transfer of your or your child's personal data for a specific purpose
- in certain circumstances: have personal data erased or destroyed, restrict the processing of data and have inaccurate personal data rectified
- seek redress, either through the Information Commissioner's Office, or through the courts.

To exercise any of these rights, please contact us at one of the following:

- ❖ admin@westcroft.devon.sch.uk
- ❖ dpo@westcroft.devon.sch.uk
- ❖ dpo@devonmoorsfederation.devon.sch.uk

Withdrawal of consent

Where we have obtained consent to use 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. If you change your mind about consent you have given please let us know by contacting the school office or email:

admin@westcroft.devon.sch.uk.

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 or query about our data processing, you should raise this with us in the first instance.

If you remain unhappy once we have replied, 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.

Contacting Us

All enquiries, complaints, requests and suspected breaches of security should be referred to the school's Data Protection Lead Link Officer (dpo@westcroft.devon.sch.uk) in the first instance. The Data Protection Lead Link Officer is a school employee who supports the DPO and they will then notify the DPO of your comments.

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 on 1st July 2021.

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/guidance/how-to-access-department-for-education-dfe-data-extracts>.

Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- 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/guidance/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 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: <https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>.

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