

# **Pupil Information Privacy Notice:**

## **How we use your information**

This privacy notice should be read alongside our **main privacy notice** on our website for full details about how we process personal data.

<https://barleyleschool.org.uk>

This privacy notice was updated on **06.07.2022**

## Personal information we collect about pupils

We collect the following information about you:

Description	Examples
Personal identifiers	<i>Name, date of birth, contact details, unique pupil number, candidate or examination numbers</i>
Characteristics	<i>Ethnicity, language, religious beliefs and free school meal eligibility.</i>
Safeguarding information	<i>Court orders, professional involvement, observations and outcome.</i>
Travel	<i>School travel arrangements.</i>
Health information	<i>Medical such as doctor's information, child health, dental health, allergies, medication, disability, dietary and other relevant health information (such as COVID19) and special educational needs.</i>
Education	<i>Educational performance, attainments, achievements, test marks, exam grades.</i>
Attendance	<i>Sessions attended, number of absences, absence reasons and any previous schools attended.</i>
Behavioural information	<i>Exclusions and any relevant alternative provision put in place.</i>
Faith and beliefs	<i>Religious or other beliefs.</i>
Images	<i>CCTV, photographs or video recordings of you or your work (such as official school photographs, classwork activities, performances or events, school trips and sports days), visitor management system.</i>
Consent	<i>Your consent preferences</i>
Biometric data	<i>Your fingerprints for our cashless catering or library services</i>

### We need this information to:

- Assess your eligibility to attend our school and process your admission
- Support your learning and help you reach your educational goals
- Monitor and report on your progress, attainment, attendance and behaviour
- Help us build a picture of your educational, social and health needs
- Provide you with catering, library, ICT and learning resources
- Communicate with you regarding homework and other important school matters
- Keep you and other children safe (food allergies, emergency contacts, professional involvement)
- Assess your eligibility for funding, bursaries and grants
- Comply with our laws regarding data sharing

- Help crime prevention, detection and public safety
- Respond to complaints, grievances and discipline investigations
- Assess the quality of our services
- Meet our legal duties placed upon us by the Department for Education

## Who we share information with

We share information with a range of organisations, companies and agencies, where it is necessary for us to carry out our legal responsibilities and duties as a school. We only share information about you where it is **strictly necessary** for us to do so, and the law and our policies allow us to do this. The following are examples of who we share information with:

<p><b>Department for Education</b></p>	<p>We are required to share information about our pupils with the DfE (this is known as the ‘school census’), either directly or via our local authority, so the DfE can carry out their statutory duties regarding data collections. Our duty to share this information comes under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.</p> <p><b>Find out more</b></p> <ul style="list-style-type: none"> <li>• For school census and our data collection requirements visit the DfE website <a href="#">here</a></li> <li>• Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD). To find out more about the NPD, visit their website <a href="#">here</a></li> <li>• The law allows the DfE to share pupils’ data with certain third parties. For more information about the DfE’s data sharing process, visit their website <a href="#">here</a></li> <li>• To find out which organisations the DfE has provided pupil information to, visit their website <a href="#">here</a></li> <li>• To find out how the DfE collects and shares pupil data for research purposes, visit their website <a href="#">here</a></li> </ul>
<p><b>Local authority</b> <i>School Admission &amp; Safeguarding Teams</i></p>	<p>We have a legal requirement to share certain information about our pupils with our local authority, to ensure that they can carry out their statutory duties under the <a href="#">Schools Admission Code</a>, including conducting Fair Access Panels.</p> <p>We may also be required to share child protection or safeguarding information with them, so we can carry out our statutory duties under section 11 of the Children’s Act 2004 (duty to safeguard and promote the welfare of children) and to enable the local authority to carry out their</p>

	duties under section 47 of the Children’s Act 1989 (duty to investigate and take action to safeguard children).
<b>Health partners</b> <i>Educational psychologists, school nurses and health visitors</i>	We sometimes share information about our pupils with health professionals, to help the pupil receive the necessary health, educational and pastoral support they need. This is usually shared with the parent’s consent (and if appropriate pupil’s consent) unless it is necessary for us to carry out our official duties or safeguard the welfare of the child.
<b>Other schools</b>	<p>We are required to share a pupil’s Common Transfer File and educational record with their next school when they leave us. We are also required to share a pupil’s ‘curricular record’ with the pupil’s intended school, upon request. We are required to share this data under The Education (Pupil Information) (England) Regulations 2005.</p> <p>If the school has a concern about the safety of a pupil, it has a duty to share relevant information with the next school, to safeguard that pupil or others.</p> <p>Our school complies with the Department for Education: <i>Keeping Children Safe in Education</i> (2021), whenever it shares personal data. Further information about our information sharing practices can be found on our Safeguarding page at <a href="https://barleylaneschool.org.uk/safeguarding/">https://barleylaneschool.org.uk/safeguarding/</a></p>
<b>Standards and Testing Agency</b>	We are required to share information about pupils in year 2 and in year 6 to the Standards and Testing Agency, so they can facilitate and report on our key stage 1 and key stage 2 national curriculum tests (commonly referred to as SATs). More information about SATs are available on the government’s website <a href="#">here</a>
<b>Examination boards and moderators</b>	We are required to share information about our pupils with examination boards and moderators, so they can enter those pupils into exams, make accessibility arrangements for them where required, mark their work and issue their grades.
<b>Youth support services and careers advisors</b>	Once our pupils reach the age of 13, we must share pupil information with our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds, under section 507B of the Education Act 1996. This enables

	<p>them to provide youth support services and careers advisors.</p> <p>A parent or guardian can object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the pupil once they reach the age 16.</p> <p>We must also share certain information about pupils aged 16+ with our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996. This enables them to provide post-16 education and training providers; youth support services and careers advisors.</p> <p>When a student reaches the age of 16, they can object to only their name, address and date of birth being passed to their local authority or provider of youth support services, by informing us. For more information about services for young people, please visit our local authority website at <a href="https://barleyleschool.org.uk/">https://barleyleschool.org.uk/</a>.</p>
<b>Ofsted</b>	<p>We may be required to support an Ofsted inspection, where an inspector asks to see a sample of the school's records. These records could identify a pupil. Any identifiable personal information the inspector may see, will not be taken away or used in their reports.</p>
<b>Law enforcement</b>	<p>We may be required to share information about any person we hold information about, to the police or other law enforcement agencies, to assist them in an investigation or to prevent or detect a crime or safeguard individuals at risk.</p>
<b>Research programmes</b>	<p>We may be invited from time to time to take part in important local or national research programmes or initiatives, which are endorsed by the Department for Education. We will let you know if we need to share identifiable pupil data as part of these projects and you will be given the opportunity to opt out from your data or your child's data being used in this way.</p>

<b>Service providers</b>	<p>We use companies that provide us with a service to help us run effectively as a school. The services we often receive are IT support, payroll provision, professional advisors (eg human resources, legal advisors, insurers and auditors), learning or teaching resource providers, communication application providers, catering and transport.</p> <p>We also work alongside other organisations or individuals that provide services directly to our parents or pupils, such as the school photographer, organisers of extra-curricular clubs or activities or companies that run school trips or provide accommodation or transport.</p> <p>To receive these services, we sometimes need to share personal information or use their products to store school data. We have contracts or agreements in place with our service providers to ensure that any personal data shared is protected and handled in line with the UK GDPR.</p> <p>The companies/individuals we use may change on a regular basis. If you would like information about any specific companies or individuals we work alongside or receive services from, please contact us at <a href="mailto:admin@barleylane.devon.sch.uk">admin@barleylane.devon.sch.uk</a>.</p>
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## Our legal basis

The main legal bases we rely on when we process your personal information are as follows:

<b>It is necessary for us to perform a task which is in the public interest or to exercise our official duties as a school</b>
This broad legal basis is applicable to almost all the processing we do involving personal data.
<b>It is necessary for compliance with a legal obligation</b>
This is applicable where a specific law requires us to collect or share personal data (this usually involves pupil, employee or governor data). This will include sharing data with the Department for Education (DfE), Her Majesty’s Revenue and Customs (HMRC) or HM Courts and Tribunal Service (e.g. following a court order).

**The data subject has given their consent**

Consent is not required for most of the processing we do, however, there are occasions when we ask for consent. For example, if we want to publish photographs or videos of pupils; collect pupil fingerprints to provide them with access to our cashless catering or library systems; share data with other organisations or individuals where we are not legally required to share that data.

Where we are processing your data with your consent, you have the right to withdraw that consent. If you change your mind, or if you are unhappy with our use of your personal data, please let us know by contacting the school office.

**The processing is necessary to protect the vital interests of the data subject or someone else**

This is applicable where a person's life could be at risk and we need to share or make available information to help them. This could involve sharing serious allergy information with staff, paramedics or other medical professionals, or other information requested by the police or social services to assist them in their enquiries to protect that person.

**The processing is necessary for our legitimate interests as a school or the legitimate interests of a third party**

This is applicable where the processing is not required by law but is of clear benefit to the school or the data subject; there is limited privacy impact on individuals and the individual reasonably expects us to use their data in this way. This legal basis is not relied upon where the school is processing the data to perform its official tasks.

When we process '**special category**' data, we must have another legal basis as well. Special category data is personal data which reveals *a person's racial or ethnic origin, political opinion, religious or philosophical beliefs, trade union membership, genetic data, biometric data (such as fingerprints), health, sex life or sexual orientation.*

The main legal bases we rely on when we process this type of data is as follows:

**The data subject has given explicit consent**

This is usually applicable where we ask for health, dietary information or biometric data (such as fingerprints).

**The processing is necessary for performing any right or obligation which is imposed on the school in relation to employment, social security and social protection law (e.g. safeguarding individuals at risk; protection against unlawful acts; prevention against fraud)**

This is usually applicable where we are performing our safeguarding duties to protect pupils.

**It is necessary to protect the vital interests of any person where the data subject is physically or legally incapable of giving consent**

This could be relied upon in situations where someone has become seriously ill on our premises and we are asked by medical practitioners (such as paramedics), to share information we know about that person's health or allergies.

**The processing is necessary for the establishment, exercise or defence of legal claims**

We may share or use special category data where legal action is being considered or underway.

**The processing is necessary in the substantial public interest**

This may be relied upon in circumstances where our processing is necessary to safeguard children or others at risk or where we respond to requests from the Police or law enforcement bodies, to assist in an investigation to prevent or detect an unlawful act.

This list is not exhaustive.



## How we protect your information

We take our security responsibilities seriously to protect your personal data from accidental or unlawful access, disclosure, loss, damage or destruction. For example:

- Access to our data is on a strict need to know basis
- Our electronic records are held on encrypted servers
- We have strict visitor management security procedures in place
- Our sensitive paper files are locked away with restricted access to the keys
- Our employees, volunteers and governors are subject to Disclosure and Barring Service (DBS) checks and employee contracts contain confidentiality clauses
- We have policies, procedures and training around data protection, security, record disposal and confidentiality. Our Data Protection Policy **is stored on staff OneDrive and our website** <https://barleylaneschool.org.uk/gdpr/>.
- We use encrypted email or secure file sharing platforms to share personal data with external organisations
- We carry out due diligence checks on our service providers and Data Protection Impact Assessments, where required.
- We use up to date virus and malware protection software; security patches are applied promptly, and we back up our data regularly.

## Storing personal data

The personal information we collect and store is essential for our school's operational use. We only keep personal information for as long as we need to, and where it is necessary to comply with any legal, contractual, accounting or reporting obligations. After this period, we delete or securely destroy personally identifiable data.

For more information about how long we keep personal data for see our **Record Retention Schedule is stored on staff OneDrive and our website** <https://barleylaneschool.org.uk/gdpr/>.

### Overseas transfers

We mainly store our data in the UK or the European Economic Area (EEA), however some of our service providers may store personal data outside these areas (usually in the USA). Where this is the case, we have a contract with these service providers which ensures they process our data securely and in line with our data protection laws.

We use the following service providers who process pupil data outside the UK/EEA:

- Class DoJo
- Zoom
- School Comms/ Parent Pay



## Your data protection rights

You have the following rights under the data protection laws:

The right to:

- Be told how your personal data is being processed (see our privacy notices).
- Request access to your personal data.
- Rectify personal data held about you which is inaccurate or incomplete.
- Have your data erased in certain circumstances.
- Restrict the processing of your information in certain circumstances.
- Object to your information being used for public interest or direct marketing purposes.
- Ask that your personal data is transferred from one organisation to another or given to you, in certain circumstances.
- Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- Complain if you are not happy with the way your data has been handled, and to escalate this to the Information Commissioner if you remain dissatisfied.

To exercise these rights, please contact us by emailing [admin@barleylane.devon.sch.uk](mailto:admin@barleylane.devon.sch.uk). You are not usually required to pay a fee and can expect to receive a response within one calendar month. Further information about your data protection rights can be found on the Information Commissioner's Office website at [www.ico.org.uk](http://www.ico.org.uk)

## Feedback and complaints

We work to high standards when it comes to processing your personal information. We hope you will always be happy with the way we handle your information, however if we have not met your expectations, please let us know so we can put things right.

To do this, please email the school at [admin@barleylane.devon.sch.uk](mailto:admin@barleylane.devon.sch.uk). If you would like to make a formal complaint, our complaints procedure is available on our website <https://barleylaneschool.org.uk/wp-content/uploads/2021/09/How-to-Complain-2021-22.pdf>.

## Data Protection Officer

Our Data Protection Officer (DPO) is Amber Badley, an external consultant appointed under a service contract. If you have any queries about this privacy notice or any matter relating to the handling of your personal data, you can contact our DPO directly at [DPO@firebirdltd.co.uk](mailto:DPO@firebirdltd.co.uk) or by writing to the school at [admin@barleylane.devon.sch.uk](mailto:admin@barleylane.devon.sch.uk).

## Contact Us

Postal address: Barley Lane School, 32 Barley Lane, Exeter EX4 1TD

Email address: [admin@barleylane.devon.sch.uk](mailto:admin@barleylane.devon.sch.uk)

Telephone number: 01392 430774

## Changes to this privacy notice

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 06.07.2022.