

SHEEN MOUNT PRIMARY SCHOOL

FAIR PROCESSING NOTICE 2023 (Privacy Notice)

This policy is to let you know how Sheen Mount Primary School ('the School', 'we', 'us' or 'our') will collect, use and process personal data. It is also designed to let you know your rights and what you can do if you have questions about personal data.

The School is the controller for the purposes of data protection laws.

This document sets out the types of personal data (meaning information about an individual from which that individual can be personally identified) we handle, the purposes of handling those personal data and any recipients of it.

1 OUR DETAILS

We are: Sheen Mount Primary School

Address: West Temple Sheen, East Sheen, SW14 7RT

Information Commissioner's Office Registration Number: Z8085876

Our Data Protection Officer is: David Coy, c/o Sheen Mount Primary School, West Temple Sheen, East Sheen, SW14 7RT. Telephone: 020 8876 8394. Email: dpo@sheenmount.richmond.sch.uk.

2 WHY WE COLLECT DATA

Below are set out the reasons why we collect and process personal data, as well as the legal basis on which we carry out this processing:

- **to meet the statutory duties placed upon us**, whether executed face-to-face or remotely, including:
 - **to support our pupils' learning**: we will process personal data to help every child achieve his or her potential in all areas of learning and to promote excellence in our teaching and learning environment.
 - **monitor and report on their progress**: we will process personal data to record pupils' progress to help set and monitor targets and boost achievements and aspirations of all pupils.
 - **provide appropriate pastoral care**: we will process personal data to ensure that all pupils are properly supported in their time with us. We will process data to help staff understand and respond to the unique circumstances of all pupils.
 - **assess the quality of our services**: we will process personal data so that we may reflect on our own practices to help us improve and provide the highest quality education that we can to all pupils.

- **to ensure proper management of school trips and afterschool clubs and activities:** when pupils and parents participate in school trips and afterschool clubs and activities personal data will need to be processed.
- **to promote and protect health and safety:** in order to protect pupils, parents and staff in their involvement at the school, we must process personal data relating to matters such as incidents and responses to incidents.
- **to enable individuals, external and third parties to be paid:** to assist in the running of the School and to enable individuals to be paid, we will process personal data of those employed to teach or otherwise engaged to work at the School.
- **to assist with the continuing development of our recruitment, development and retention policies and practices:** to enable us to better our recruitment and retention policies and practices, we will process personal data of those currently employed by the School.
- **to develop our understanding of our workforce and how employees are deployed:** to help us create a fully informed, comprehensive picture of the make-up of our workforce and how each employee is utilised as a member of our workforce, we will process personal data of those employed to teach or otherwise engaged to work at the School.

3 LEGAL BASIS FOR PROCESSING

The personal data collected is essential in order for the school to fulfil their official functions and meet legal requirements. The lawful basis for us to collect/process this personal data is in order to provide education in accordance with statute law (such as the Education Act 1996 and other legislation), our funding agreements with the Secretary of State, and other guidance provided for in law.

All maintained school governing bodies have a legal duty under [section 538 of the Education Act 1996](#) to provide the governance information as detailed above.

An additional lawful basis for us to collect/process employees' personal data is by reason of necessity for the performance of a contract of employment to which the data subject is party, or in order to take steps at the request of the data subject prior to entering into a contract.

Moreover, personal data will be collected and/or processed for the purposes of relevant contracts for the provision of services. This may include but is not limited to:

- the provision of music tuition /after school clubs
- the arranging and safe holding of school trips;
- entering students for examinations.
- the management of volunteers (PSA)

We do not process any special categories of personal data except where necessary for reasons of substantial public interest in complying with legal obligations including under the Equality Act 2010 or where necessary to protect the vital interests of the data subject or of another natural person and where safeguards are in place to ensure that this personal data is kept secure. For the avoidance of doubt where special categories of personal data are collected it shall not be used for the purposes of automated decision making and/or profiling.

Special categories of data means personal data revealing:

- racial or ethnic origin;
- political opinions; religious or philosophical beliefs or trade union membership;

- genetic or biometric data that uniquely identifies you;
- data concerning your health,
- data concerning your sex life or sexual orientation; or
- data relating to criminal convictions or offences or related security measures.

Further personal data including special categories of personal data may be collected and/or processed where consent has been given (for example, school photographs for non-educational purposes). If consent has been given, then this may be revoked in which case the personal data will no longer be collected/processed.

4 CATEGORIES OF INFORMATION WE COLLECT

We may collect the following categories of governance information (please note this list does not include every type of personal data and may be updated from time to time):

- contact details;
- identification information
- date of birth;
- national insurance number (staff only, or parents in context of Free School Meals eligibility assessment);
- evidence of right to work (staff only)
- health and/or other medical information. This includes, as part of the school's contribution to the fight of the global coronavirus pandemic: COVID PCR and Lateral Flow test results, track and trace advice, shielding information, travel and vaccination information. This may be collected from staff, parents, pupils and other relevant members of the school community.
- information in connection with education (included but not limited to unique pupil numbers, test results, post 16 learning information and other records);
- attendance information;
- behavioural and disciplinary information;
- information received in connection with any complaint;
- personal characteristics, such as:
 - their nationality and ethnic group;
 - their religion;
 - their first-language;
 - any special educational needs they may have;
 - any relevant protected characteristics.
- employees' qualifications and contractual information, such as:
 - employee position and/or role;
 - salary;
 - employment start date;
 - remuneration details.

5 HOW DATA IS COLLECTED

We collect the following personal information via:

- Pupil and parent information: The parent portal of the school's Management Information System and related parent portal, paper registration forms and payments for trips, clubs and events. Electronic information forms (e.g. medical conditions, meal preferences) Observations of teaching and other staff as part of their duties, Online classroom activity, email exchanges. Classroom activities and assemblies. This may include photographic or video recordings (e.g. recording of the Nativity Play, pictures as part of standard pupil

- progress observations or for the newsletter).
- Staff: Application forms, new staff information form, conduct declarations, DBS checks, Continuous Professional Development activities. Other employee information forms, e.g. maternity request forms, unpaid leave request forms, etc. Health check information is not collected by the school but submitted directly by the applicant to the Occupational Health Service contracted by the school, meal payments and other sales, online lessons.
- Suppliers: as part of the contract and the fulfilment of the contract, as part of the procurement process, payments and related approval process for goods and services.
- Governors: Governor data collection forms, Governor Hub, governor meetings, email.

The majority of personal information provided to us is mandatory or collected as part of the pursuit of the school's main statutory function. Certain data may be requested on a voluntary basis. In order to comply with GDPR, the school will inform the relevant party at the point of collection, whether they are required to provide certain information or whether they have a choice in this.

An example of data collected on a voluntary basis by the school is:

- All information collected in relation to the school Notices. The distribution list for the Notices is maintained totally separately from the school's parent information database, and parents may subscribe or unsubscribe to the mailing list voluntarily at all times.
- Management of enrolments to extra-curricular clubs (including those held by non-school staff, e.g. netball, cooking).

6 WHO WILL HAVE ACCESS TO YOUR DATA

Personal data on pupils will be accessible by members of staff to the extent required to perform their duties. Where necessary to fulfil their roles on behalf of the school, volunteers and governors will also have access to personal data.

We will not share information about our pupils with third parties without consent unless we are required to do so by law or our policies. We will disclose personal data to third parties in the following situations:

- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation; for example:
 - We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments;
 - We share pupils' personal data with the Department for Education (DfE) in relation to school funding / expenditure and the assessment of educational attainment (please see Section 8);
 - We routinely share governance information with the London Borough of Richmond upon Thames and the Department for Education (DfE).
- in order to enforce any agreements with you;
- in order to perform contracts with third party suppliers for purposes listed in Section 2. Our third party suppliers include, but not limited to
 - [See Appendix 1]
- to protect the rights, property, or safety of the School, the school, other pupils or others. This includes exchanging information with other organisations for the purposes of child welfare.

This may include our Local Authority, the DfE (please see Section 6), the Police and other organisations where necessary; for example, for the purposes of organising a school trip or otherwise enabling students to access services or for the purposes of examination entry. Information may also be sent to other schools where necessary; for example, schools that pupils attend after leaving us.

Certain data collection obligations are placed on us by the DfE under [section 538 of the Education Act 1996](#) (e.g. school census, workforce census, governance information).

7 PUPIL DATA – THE NATIONAL PUPIL DATABASE

The NPD is owned and managed by the DfE 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 DfE. 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.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

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 may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis;
- producing statistics;
- providing information, advice or guidance.

The DfE has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether 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: and
- 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 the data, security arrangements and retention and use of the data.

For more information about the data collection requirements imposed by the DfE on schools, visit: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>. For more information on the DfE data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the DfE has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

8 EMPLOYEE DATA – DFE DATA COLLECTION REQUIREMENTS

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005.

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The DfE may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis;
- producing statistics;
- providing information, advice or guidance.

The DfE has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether the DfE releases personal 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; and
- the arrangements in place to securely store and handle the data.

To be granted access to school employee data, organisations must comply with the DfE's strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the DfE's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

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

9 GOVERNANCE DATA – DFE GIAS SYSTEM

All governance data is entered manually on the GIAS system and held by DfE under a combination of software and hardware controls which meet the current government security policy framework.

The governance data that we lawfully share with the DfE via GIAS:

- will increase the transparency of governance arrangements
- will enable maintained schools and academy trusts and the department to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context
- allows the department to be able to uniquely identify an individual and in a small number of cases conduct checks to confirm their suitability for this important and influential role

To find out more about the requirements placed on schools by the Department for Education

including the data that all maintained schools share with them, go to <https://www.gov.uk/government/news/national-database-of-governors>

Note: Some of these personal data items are not publically available and are encrypted within the GIAS system. Access is restricted to a small number of DfE staff who need to see it in order to fulfil their official duties. The information is for internal purposes only and not shared beyond the department, unless the law allows it.

10 HOW DATA WILL BE PROCESSED

Personal data may be processed in a variety of ways; this will include but is not limited to:

- maintaining written or otherwise recorded records for educational or employment purposes;
- medical or allergy information displays;
- identification;
- sending by e-mail;
- adding to spreadsheets, word documents or similar for the purposes of assessing personal data;
- for educational software use (this could be for the purposes of helping children learn, discipline, reports and other educational purposes).
- providing online learning and online communication, including via video call.

11 WHERE WE STORE DATA AND HOW WE KEEP DATA SECURE

Paper copies of personal data are kept securely at the school; for example, in secure filing cabinets.

Electronic copies of personal data are kept securely and information will only be processed where we are satisfied that it is reasonably secure.

All information you provide to us is stored on secure servers. Where we have given you (or where you have chosen) a password which enables you to access certain online portals, you are responsible for keeping this password confidential. You must not share your password with anyone.

When giving personal data to third parties (for example, software providers) it is possible that this personal data could be stored in a location outside of the European Economic Area. We will take all steps reasonably necessary to ensure that your personal data is treated securely and in accordance with this privacy policy. In particular, any transfer of your personal data made by us to a location outside of the EEA will be governed by clauses in a written contract in order to keep these secure.

By its use of portals, the school aims to limit the need for transfer of personal data. Where this is required, the school uses secure data transfer tools such as USO-FX, Egress, the DfE School-2-School communication tool and password protection to ensure data is transferred securely. Information sent between schools and certain local authority organisations part of the LGfL network is always encrypted.

12 RETENTION PERIODS

We will only retain the personal data for as long as is necessary to achieve the purposes for which they were originally collected. As a general rule, personal data of pupils will be kept for the entire period that a child is a pupil at the school, or an employee is employed at the school. Other records (for example, safeguarding or in relation to special educational needs) will be kept for longer in accordance with guidance from the Central Government, Local Authority and/ or the Information and Records Management Society. Further information on retention periods can be obtained by

contacting us via the details in Section 1 of this Notice.

13 YOUR DATA RIGHTS

The General Data Protection Regulation and associated law gives you rights in relation to personal data held about you and your child. These are:

- **Right of Access:** if your personal data is held by the School, you are entitled to access your personal data (unless an exception applies) by submitting a written request. We will aim respond to that request within one month. If responding to your request will take longer than a month, or we consider that an exception applies, then we will let you know. You are entitled to access the personal data described in Section 14.
- **Right of Rectification:** you have the right to require us to rectify any inaccurate personal data we hold about you. You also have the right to have incomplete personal data we hold about you completed. If you have any concerns about the accuracy of personal data that we hold then please contact us.
- **Right to Restriction:** you have the right to restrict the manner in which we can process personal data where:
 - the accuracy of the personal data is being contested by you;
 - the processing of your personal data is unlawful, but you do not want the relevant personal data to be erased; or
 - we no longer need to process your personal data for the agreed purposes, but you want to preserve your personal data for the establishment, exercise or defence of legal claims.

Where any exercise by you of your right to restriction determines that our processing of particular personal data are to be restricted, we will then only process the relevant personal data in accordance with your consent and, in addition, for storage purposes and for the purpose of legal claims.

- **Right to Erasure:** you have the right to require we erase your personal data which we are processing where one of the following grounds applies:
 - the processing is no longer necessary in relation to the purposes for which your personal data were collected or otherwise processed;
 - our processing of your personal data is based on your consent, you have subsequently withdrawn that consent and there is no other legal ground we can use to process your personal data;
 - the personal data have been unlawfully processed; and
 - the erasure is required for compliance with a law to which we are subject.
- **Right to Data Portability:** you have the right to receive your personal data in a format that can be transferred. We will normally supply personal data in the form of e-mails or other mainstream software files. If you want to receive your personal data which you have provided to us in a structured, commonly used and machine-readable format, please contact us via the details in Section 1 of this Notice.

You can find out more about the way these rights work from the website of the Information Commissioner's Office (ICO).

14 REQUESTING YOUR DATA

Where the School holds personal data concerning you, you are entitled to access that personal data and the following information (unless an exception applies):

- a copy of the personal data we hold concerning you, provided by the School;
- details of why we hold that personal data;

- details of the categories of that personal data;
- details of the envisaged period for which that personal data will be stored, if possible;
- information as to the source of personal data where that personal data was not collected from you personally.

If you want to receive a copy of the information about your son/daughter that we hold, please contact us via the details in Section 1 of this Notice.

15 HOW TO FIND OUT WHAT PERSONAL INFORMATION THE DFE HOLD ABOUT YOU

Under the terms of the Data Protection Act 2018, you're 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>

16 MAKING A COMPLAINT

If you are unhappy with the way we have dealt with any of your concerns, you can make a complaint to the ICO, the supervisory authority for data protection issues in England and Wales. We would recommend that you complain to us in the first instance, but if you wish to contact the ICO on the details you can do so on the details below. The ICO is a wholly independent regulator established in order to enforce data protection law.

ICO Concerns website: www.ico.org.uk/concerns

ICO Helpline: 0303 123 1113

ICO Email: casework@ico.org.uk

ICO Postal Address: Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

17 CHANGES TO THIS NOTICE

Any changes we make to this notice in the future will be posted on our website and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes.

This Fair Processing Notice was last updated on 18th May 2022.

Appendix 1

Third Party Suppliers (section 5)

- School management system provider: Arbor Education – pre-2019: RM Education (RM Integris) : Cloud-based, used to collect and store pupil, parent and staff information. Also used for consent management and payments for meals, trips and visits.
- School meals provider: Accent Catering
Personal data only transferred to local catering team for management of food allergies and preferences.
- Tool for assessment: Target Tracker Used to record, track and analyse pupil progress.
- Online learning tools, electronic forms, electronic communications, data cloud storage: Google Education Account, including but not exclusively: Google forms, Google Classrooms, Google Meet, Google Drive.
- Intervention tracking: TES Provision Map
- School trip providers: PGL, Field Studies Council Ltd
- Internet and email provider: London Grid for Learning, Arbor Education, Pre-2019: RM Education (RM Integris)
- Payroll provider: Action HR (Kingston and Sutton HR Shared Services), through which the school uses the online tool and staff portal iTrent for HR payroll information
- Parent payment and communication systems provider: Arbor Education, RM Education (RM Integris))
- Employee Relations support provider: Action HR (Kingston and Sutton HR Shared Services)
- ICT contract service provider: Click on IT London – no personal data explicitly transferred, but do have access to personal information (e.g. school email addresses) as a necessary part of their service provision.
- School absence insurance provider: Schools Advisory Service - data regarding staff absences.
- School milk scheme provider: Cool Milk – information regarding under-5s who are eligible for free school milk. After the age of 5 parents book themselves with school milk and data is collected from them directly.
- Legal services: South London Legal Partnership
- Education support services: Educational Psychologists and other education support services via Achieving for Children
- JAG: No data is transferred directly, but support will be provided as required to ensure pupils safety in particular with regards to the transition of pupil from JAG to school and from school to JAG as part of their wrap around care provision)
- Music tuition: Richmond Music Trust – parents register directly. No personal information shared directly by the school, but support provided to instructors regarding classes of registered pupils.
- Individual supply teachers to ensure they are able to perform their job: via Vibe, Teaching Personnel, JAG, Swimway, and other Supply Agencies. No data is transferred to these organisations, only to the individuals in their role working for the school and only if and as required for them to fulfil their duties.
- Photographers: Imago
- Sport: Richmond School Sport Partnership
- Recruitment: eTeach
- Budgeting tool (staff data only): Access Education
- Google sites for the hosting of staff information pages
- School Website Design Agency – hosting of school website