



## Appendix 1

### PRIVACY NOTICE for Borough Green Primary School

#### 1. Privacy notice

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.

We, Borough Green Primary School are the 'data controller' for the purposes of data protection law.

Borough Green Primary School processes data relating to:

- pupils and former pupils
- parents and carers
- volunteers
- visitors to the school premises
- visitors to the school website
- governors
- local-authority personnel
- employees, and non-employed/agency staff
- Applicants – successful or unsuccessful

This Privacy Notice covers data collected and processed for pupils, parents/carers, volunteers and visitors.

Data relating to Governors, Employees, and local authority personnel is addressed in a separate Privacy Notice.

Data processed relating to applicants is addressed in our Recruitment Policy

Borough Green Primary School is a Joint Controller for data relating to Non-Employed / Agency Staff and will retain data for Safeguarding reasons even after any placements have been concluded. It is the responsibility of the employing Agency to provide a Privacy Notice for these data subjects.

Our data protection officer is Stephen Cole (see 'Contact us' below).

**The personal data we hold:****For Pupils or Former Pupils, we collect and record:**

- Name, Address, date of birth, and identification documents;
- Results of internal assessments and externally set tests;
- Pupil and curricular records;
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs;
- Exclusion information;
- Details of any medical conditions, including physical and mental health;
- Attendance information;
- Safeguarding information;
- Details of any support received, including care packages, plans and support providers;
- Photographs
- Parent / Carer contact details; Contact details for Emergency Contacts

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

- **For Parents / Carers and Emergency Contacts, we collect and record:** contact details including name, address, telephone number, and email address;
- relationship to pupil(s);
- safeguarding information;

**For visitors to the school premises, we collect and record:**

- contact details including name, telephone number, signature
- Vehicle Registration Mark (VRM)
- Purpose, arrival time, and departure time of visit
- Safeguarding information.

**For visitors to our website, if you use our Contact Us section, we collect and record:**

- Name
- Email Address
- Any additional personal details that you provide to us with the Subject header or Message body.

**For Volunteers or Prospective Volunteers, we collect and record:**

- Contact details, including name, address, email, and phone number;
- Identity information such as NI Number, Passport and/or driving license;
- Signature

- Criminal offence data
- Safeguarding information

### **Why we process this data:**

We use pupil data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

We use parent / carer data to contact them in relation to their pupil's learning, school notices, and events at that school.

When visitors visit our school, their data is recorded for safeguarding reasons, and for Health & Safety reasons (e.g. fire evacuation)

Volunteers help the school to enrich the learning environment for the pupils. For safeguarding reasons, all volunteers are checked against the Disclosure & Barring Service (DBS). We process volunteer data to enable us to contact the volunteer and to process the DBS checks.

For website visitors, we only process your data to address the query you have raised with us via our "Contact Us" page.

### **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 personal data for a specified purpose
- We need to protect the individual's vital interests (or someone else's interests)

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.

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

### Special Category Data

Special category data is personal data that is likely to be more sensitive, and requires extra protection, such as:

- personal data revealing racial or ethnic origin;
- personal data revealing political opinions;
- personal data revealing religious or philosophical beliefs;
- personal data revealing trade union membership;
- genetic data;
- biometric data (where used for identification purposes);
- data concerning health;
- data concerning a person's sex life; and
- data concerning a person's sexual orientation

Borough Green Primary School will only collect, record and process special category data where we have a clear lawful basis for doing so, such as:

- We have obtained **explicit consent** under Article 9(2)(a)
- For **Employment, social security, & social protection** under Article 9(2)(b)
- Where it is in the **Vital Interests** of the data subject under Article 9(2)(c)
- Where processing meets **Substantial Public Interest Conditions** under Article 9(2)(g) such as fulfilling our statutory duty under Section 175 of the Education Act 2002 to safeguard and promote the welfare of children.

### Criminal Offence Data

Criminal Offence Data is personal data relating to criminal convictions and offences or related security measures. It is data relating to offenders or suspected offenders in the context of criminal activity, allegations, investigations, and proceedings.

Borough Green Primary School processes criminal offence data for the process of conducting and reviewing checks at the Disclosure & Barring Service (DBS) for the purposes of fulfilling our statutory duty under Section 175 of the Education Act 2002 to safeguard and promote the welfare of children.

### Collecting this information

Borough Green will only collect data when we have a clear and justifiable reason for the collection.

While the majority of information we collect about pupils, parents/carers, volunteers, and visitors is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or in relation to a pupil for whom you have responsibility, we make it clear whether providing this data is mandatory or optional.

If the data collection is mandatory, we will explain the possible consequences of not providing us with this data.

If the data collection is optional, we will explain why we have asked for this data.

### **How long we store this data**

We will only retain data for the minimum necessary period required to fulfil the reason for which it was collected – unless we have a legitimate lawful basis to retain the data (e.g. public task or legal obligation)

We keep personal information about pupils, their parents/carers, and emergency contacts, while the pupil is attending our school. We may also keep pupil data beyond their attendance at our school if this is necessary in order to comply with our legal obligations.

Our Information Management and Retention Policy sets out how long we keep information about pupils.

This is available from the school office on request.

### **Data sharing**

We may share your data with other organisations where we have a requirement to do so to fulfil our legal obligations or a public task.

We may share data where it is in your vital interests for us to do so.

We will seek your explicit consent to transfer data in all other cases.

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*
- *The pupil's family and representatives*
- *Educators and examining bodies*
- *Our regulator - Ofsted*
- *Suppliers and service providers – to enable them to provide the service we have contracted them for*
- *Financial organisations*
- *Central and local government*
- *Our auditors*

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- *Survey and research organisations*
- *Health authorities*
- *Health and social welfare organisations*
- *Professional advisers and consultants*
- *Charities and voluntary organisations*
- *Police forces, courts, tribunals*
- *Professional bodies*

### **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 and early years 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.

### **Transferring data internationally**

We do not habitually transfer your data outside of the United Kingdom. If we are required to transfer personal data to another country, we will do so in accordance with data protection law and ensuring your data is adequately protected, encrypted, minimised, anonymised or pseudonymised as necessary.

### **Your 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 parent/carer can demonstrate that the child has provided consent.

If you make a subject access request, and if we do hold information about you or the data subject whom has authorised you to act on their behalf, we will:

- Give you a description of the data that we hold
- Tell you why we are holding and processing the data, and how long we will keep it for
- Explain where we got the data from, if not directly from you or your child
- Tell you who the data has been, or will be, shared with

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- Let you know whether any automated decision-making is being applied to the data, and any consequences of this (We generally do not use automated decision-making processes)
- Give you a soft/electronic copy of the information unless you request a hard/paper copy

If you would like to make a request please contact our data protection officer, school office, or class teacher.

Parents/carers also have a legal right to access to their child's **educational record**. To request access, please contact the Headteacher.

### 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 – we do not engage in direct marketing, nor do we permit our data processors to engage in direct marketing unless you opt-in to such communications with them
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person) – we do not generally use automated decision-making processes
- have inaccurate personal data corrected and, In certain circumstances, have your data deleted or destroyed, or restrict processing
- if you are unhappy with how we have handled your data, our you request to exercise your rights, you have the right to complain to our Data Protection Officer, and/or the Information Commissioners Office
- Claim compensation for damages caused by our breach of the data protection legislation

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

You can find out more about your rights at <https://ico.org.uk/for-the-public>

### Kent County Council

If you would like to get a copy of the information that KCC holds about you, details about how they use your information, the data they share with the Department for Education, or post-16 providers, please contact:

Information Resilience & Transparency Team  
Room 2.71  
Sessions House  
Maidstone, Kent  
ME14 1XQ  
Email: [dataprotection@kent.gov.uk](mailto:dataprotection@kent.gov.uk)

You can also visit the KCC website if you need more information about how KCC use and store your information. Please go to: <http://www.kent.gov.uk/about-the-council/contact-us/access-to-information/your-personal-information>

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

## 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.

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**:

Stephen Cole  
Data Protection Officer  
Borough Green Primary School

Email: [scole@bgpschool.kent.sch.uk](mailto:scole@bgpschool.kent.sch.uk)

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

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