



Charlton-on-Otmoor CE Primary School
Fencott Road
Charlton- on-Otmoor
Kidlington
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Headteacher: Mrs N Gosling

GDPR and Data Protection Policy (including information regarding the Protection of biometric information)

Privacy Notice for Parents/Carers,

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.

This privacy notice explains how we collect, store and use personal data about **pupils**. The school is the 'data controller' for the purposes of data protection law.

Our data protection officer and contact details are below (see 'Contact us').

The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Contact details, contact preferences, date of birth, 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

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

Why we use this data?

We use this 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/surveys
- Comply with the law regarding data sharing

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 it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' 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 pupils' personal data overlap, and there may be several grounds which justify our use of this data.

Collecting this information

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

How we store this data

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations.

Please refer to the Information and Records Management Society's toolkit for schools.

Data sharing

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

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 (Oxfordshire County Council) and the Diocese (Oxford Diocesan Board of Education) – 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 regulators e.g. Ofsted, Statutory Inspection of Anglican and Methodist Schools (SIAMS)
- School Governors
- Suppliers and service providers – to enable them to provide the service that we have contracted them for.
- Financial organisations
- Central and local government
- Our auditors
- Research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- School Association
- 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 and early years census if applicable.

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

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Parents and pupils' 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 child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our data protection officer.

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
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer.

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**:

Nicola Cook
Buckinghamshire Learning Trust,
01296 872345,
dpo@learningtrust.net

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

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

The protection of biometric information of children in schools and colleges:

Biometric data is personal information about an individual's physical or behavioural characteristics that can be used to identify that person. This can include a person's fingerprints, facial shape, retina and iris patterns and hand measurements. All biometric data is considered special category data under the GDPR.

Where we use biometric data we will ensure that it is treated with appropriate care and that we comply with the GDPR principles.

Where biometric data is used as part of an automated biometric recognition system, e.g. cashless catering or photo ID card systems, we will comply with the additional requirements of the Protection of Freedoms Act 2012 (sections 26 - 28). Charlton-on-Otmoor CE Primary School will:

- ensure that each parent* is notified of the schools intention to use their child's biometric data as part of an automated biometric recognition system
- ensure the written consent of at least one parent is obtained for all pupils under the age of 18 before the data is taken from the pupil and used
- not process the biometric data of a pupil (under the age of 18) where:
 - the pupil objects or refuses to participate in the processing of their biometric data (their objection or refusal can be verbal, it does not have to be in writing)
 - no parent has consented in writing to the processing (this must be a written consent)
 - a parent has objected in writing even if another parent has given their consent.

Parents and pupils can change their minds and withdraw consent at any time. We will make sure that any biometric data already captured is deleted.

We will provide alternative means of accessing services for those pupils who are not using an automated biometric system, e.g. pupils can pay for school meals in cash.

When notifying parents about the intention to take and use their child's biometric information as part of an automated biometric system, we will include:

- details about the type of biometric data to be taken

- how it will be used
- the parents' and pupil's right to refuse or withdraw their consent at any time
- our duty to provide reasonable alternative arrangements for those pupils who will not be using the automated biometric system.

**'parents' includes not only the biological mother or father (or the adoptive parents) but any individual with parental responsibility for the child, as set out in Part 1 of the Children Act 1989.*

Where staff members or other adults use the school's biometric system(s), we will also obtain their consent before they first take part in it, and provide alternative means of accessing the relevant service if they object or withdraw their consent. Consent can be withdrawn at any time and any biometric data already held will be deleted.

Approved by:	Nadia Gosling	Date: 01.09.2023
Last reviewed on:	01.09.2023	
Next review due by:	01.09.2024	