



# Privacy Notice Parents and Carers

The King's School  
Cadhay Lane  
Ottery-St-Mary  
Devon  
EX11 1RA

## Change Control

Policy Owner	Director of Finance & Operations
Approved By	Resources Committee
Date of Last Approval	27/06/2024
Next Revision Due	May 2025

Date	Version	Person	Change / Action
31/05/2018	1.0	SBM	Initial Draft of Privacy Notice
10/06/2019	1.1	SBM	Review – No Substantive Changes
19/06/2019	1.1	Trustees	Approval
17/04/2020	1.1	SBM	Review – No Substantive Changes
24/06/2020	1.1	Trustees	Approval
17/05/2021	1.1	SBM	Review – No changes required
23/06/2021	1.1	Trustees	Approval
20/06/2022	1.1	SBM	Review – Minor addition of Designated Partners to LA section
29/06/2022	1.1	Trustees	Approval
19/06/2023	1.2	DFO	Additional sections on Government and LA use of your data and updated to include references to the DFO
28/06/2023	1.2	Trustees	Approved
22/04/2024	1.2	DFO	No changes required
27/06/2024	1.2	Trustees	Approved

## **1. Introduction**

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 students. We, The King's School Ottery St Mary are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer (DPO) is Mr R Tait – the Director of Finance & Operations.

## **2. The personal data we hold**

Personal data that we may collect, use, store and share (when appropriate) about students 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
- Behaviour and Achievement Information
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school
- Biometric Information

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

### 3. **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
- Comply with the law regarding data sharing

### 4. **Our legal basis for using this data**

We only collect and use students' 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 students' 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 students' 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 students' personal data overlap, and there may be several grounds which justify our use of this data.

### 5. **Collecting this information**

While the majority of information we collect about students 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.

## **6. How we store this data**

We keep personal information about students 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. Our Data Protection Policy sets out how long we keep information about students.

If you would like a copy of the policy, then please contact the Director of Finance & Operations to request one. Links to this document can also be found on our website.

## **7. Data Sharing**

We do not share personal information with anyone outside the school, unless the law and our policies allow us to do so and/or without appropriate consent where applicable.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about students with:

- Our local authority or designated partners – to meet our legal obligations to share certain information with it, such as safeguarding concerns, attendance and exclusions.
- The Department for Education – to meet our legal obligation (Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013) to share certain information with it, such as pupil census information and financial submissions
- The pupil's family and representatives
- Educators and examining bodies – to enable them to provide examination services
- Our regulator - Ofsted
- Suppliers and service providers – to enable them to provide the services we have legally contracted them to provide
- Financial organisations – to enable them to provide financial services and payments
- Our auditors – to meet our legal obligations
- Survey and research organisations – to enable them to carry out essential research but only where permission has been given
- Health authorities – to meet our legal obligations
- Security organisations
- Health and social welfare organisations – to meet our legal obligations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals – to meet our legal obligations
- Professional bodies

## **8. National Student Database**

We are required to provide information about students to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the Department of Education 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 for Education'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.

## **9. Local Authority Support Services**

Once our students reach the age of 13, we are legally required to pass on certain information about them to Devon County Council, as it has legal responsibilities regarding the education or training of 13 to 19 year-olds under section 507B of the Education Act 1996

This information enables it to provide youth support services, post-16 education and training services, and careers advice.

Parents/carers, or students once aged 16 or over, can contact our data protection officer to request that we only pass the individual's name, address and date of birth to Devon County Council for this purpose.

## **10. How does the Government use your data?**

The pupil data that we lawfully share with the DfE through data collections:

- Underpins school funding, which is calculated based upon numbers of pupils and their characteristics in each school.
- Informs 'short-term' education policy monitoring and school accountability and intervention.
- Supports 'longer-term' research and monitoring of educational policy, e.g. how certain subject choices go on to affect education or earnings beyond school.

To find out more about the data collection requirements placed on us by the DfE, e.g. via the school census, follow this link: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

## **11. Sharing by the DfE**

The DfE is legally allowed to share pupils' personal information with certain third parties, including the following:

- Schools
- LAs
- Researchers
- Organisations connected with promoting the education or wellbeing of children in England
- Other government departments and agencies

- Organisations fighting or identifying crime

Organisations fighting or identifying crime, such as the Home Office and the police, may use their legal powers to contact the DfE to request access to individual level information relating to a crime.

For more information about how the DfE collects and shares pupil information, you can look at the information in the following two links: · <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data> · <https://www.gov.uk/government/publications/dfe-external-data-shares>

## **12. How to find out what personal information the DfE holds about you**

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.
- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link:

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

You can also contact the DfE directly using its online contact form by following this link:

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

## **13. 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.

#### **14. Parents and Students' 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 12 years old and under), 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.

Under our Data Protection Policy Parents/Carers also have a legal right to access to their child's educational record. To request access, please contact the School's Business Manager. Formal photographic ID will be required before any information can be released.

#### **15. 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

Where our school processes your personal data with your consent, you have the right to withdraw your consent. If you change your mind or are unhappy with how our school uses your personal data, you should let us know by contacting the School's Data Protection Officer, Robert Tait.

## **16. 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 Director of Finance & Operations, Mr Robert Tait, in the first instance. Should you be dissatisfied with the response, you may escalate your complaint in accordance with our complaints policy which is available on our website.

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