



Heamoor Community Primary School

Fair Processing Notice

This Notice is to let you know how Heamoor Community Primary School (Heamoor School) 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.

Heamoor 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 that personal data and any recipients of it.

1: OUR DETAILS:

Heamoor Community Primary School

Bosvenna Way

Heamoor

Penzance

Cornwall

TR18 3JZ

Website: www.heamoor.school.co.uk

Our **Data Protection Officer** is **Mrs Lesley Osborne** and her contact details are:

Tel: 01736 364868

E-mail: lesley.osborne@heamoor.cornwall.sch.uk

2: WHY DO WE COLLECT AND PROCESS DATA?

We collect and process personal information relating to our pupils and may also receive information about them from their previous schools, the Local Authority, Department for Education (DfE) and other bodies linked to their education, development and welfare.

We may also share Personal data with other agencies as necessary under our legal duties or otherwise in accordance with our duties/obligations as a school. Whilst the majority of pupil information we are provided with or collect is mandatory, some of it is provided to us on a voluntary basis. We will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

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

- We will process personal data to support our pupil's learning, to help every child achieve his or her potential in all areas of learning and to promote excellence in our teaching and learning environment.
- We will process personal data to record pupils' progress to help set and monitor targets and boost achievements and aspirations of all pupils.
- We will process personal data to ensure that all pupils are provided with appropriate pastoral care, helping staff to understand and respond to the unique circumstances of each pupil.
- We will process personal data in order to protect pupils and provide emergency support or immediate medical support (this may include data such as medical reports and medication.)
- We will process personal data so that we can reflect on our own practices to help us improve and provide the highest quality provision that we can to all pupils.
- We will process personal data to ensure the proper management of off site visits, afterschool clubs and activities.
- We will process personal data to promote and protect health and safety in order to protect pupils, parents and staff in their involvement at the school.
- We will process personal data for employment purposes, to assist in the running of the school.

3: WHAT IS THE LEGAL BASIS FOR US COLLECTING AND PROCESSING DATA?

The lawful basis for us to collect and process 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.

In addition, personal data will be collected and/or processed for the purposes of relevant contracts for the provision of services which are paid for by the school.

This may include but is not limited to:

- The provision of music tuition
- The provision of counselling services
- School trips and residential off site activities

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 mean personal data revealing:

- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetic or biometric data that uniquely identifies you
- data concerning your health, sex life or sexual orientation
- 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 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 and/or processed.

4: WHAT CATEGORIES OF INFORMATION DO WE COLLECT?

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

- contact details
- date of birth
- health and/or other medical information
- information in connection with education (included but not limited to unique pupil numbers, test results, previous education and other records)
- attendance information
- behavioural information
- free school meal eligibility
- personal characteristics of pupils, such as their nationality and ethnic group, their religion, their first-language, any Special Educational Needs or disability they may have, any relevant protected characteristics, relevant primary carer information
- information required for employment purposes, such as National Insurance numbers, remuneration details, qualifications etc
- information received in connection with any complaint

5: WHO WILL HAVE ACCESS TO THE DATA?

Personal data will be accessible by members of staff. Where necessary, 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:

- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation (for example, we share pupils' personal data with the Department for Education on a statutory basis)
- if there is a safeguarding or child welfare concern
- for the purposes of supporting immunisations
- in order to enforce any agreements with you
- to protect the rights, property, or safety of the school, other pupils or members of the school community.

This may include our Local Authority, the Department for Education, the MARU, the Police and other organisations where necessary; for example, for the purposes of organising a school trip or otherwise enabling pupils to access services. Information

may also be sent to other schools where necessary, for example, schools that pupils attend after leaving Heamoor School.

6: HOW WILL THE DATA WILL BE PROCESSED?

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

- sending by e-mail
- sending by post
- 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, behaviour management, reports and other educational purposes)
- school information management systems

7: WHERE DO WE STORE DATA AND HOW DO WE KEEP DATA SECURE?

Paper copies of personal data are kept securely at Heamoor School; for example, in secure filing cabinets and/or a locked walk-in storage cupboard.

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.

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.

Any data security breach will be investigated by the Data Protection Officer and measures put in place to minimise future risk to the security of data. Any security breach will be recorded in the Data Breach Record which will document the details of the breach, any information relating to this, procedural changes to reduce risks of future data loss and conclusions.

8: HOW LONG DO WE RETAIN PERSONAL DATA?

We will only retain personal data for as long as is necessary to achieve the purposes for which they were originally collected. As a general rule, personal data will be kept for the entire period that a child is a pupil 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 Local Authority. Further information on retention periods can be obtained by contacting us via the details in Section 1 of this Notice.

9: WHAT ARE 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 Heamoor School you are entitled to access your personal data (unless an exception applies) by submitting a written request. We will aim to 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 10.
- **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 Mrs Lesley Osborne (Data Protection Officer)
- **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 personal data is 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 Mrs Lesley Osborne (Data Protection Officer).

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

10: HOW CAN YOU REQUEST YOUR DATA?

Where Heamoor 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
- 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 that personal data, where that personal data was not collected from you personally.

If you want to receive a copy of the information about you or your child that we hold, please contact Mrs Lesley Osborne (Data Protection Officer)

11: HOW CAN YOU MAKE A COMPLAINT?

Please contact Mrs Lesley Osborne (Data Protection Officer) in the first instance to discuss your concerns. 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.

If you wish to contact the ICO you can do so using the contact 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

12: WHEN WILL CHANGES BE MADE TO THIS NOTICE?

Any changes we make to this notice in the future will be posted on our website and, where appropriate, notified by Heamoor School's usual communication systems.

Please check back frequently to see any updates or changes.

This privacy policy was last updated on 12th May 2020.

