



Wellstead Primary School

Sowing the Seeds of Success

Wellstead Primary School

Data Protection Policy

The school collects and uses personal information (referred to in the UK General Data Protection Regulation (UK GDPR) as personal data) about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable the provision of education and other associated functions. In addition, the school may be required by law to collect, use and share certain information.

The school is the Data Controller, of the personal data that it collects and receives for these purposes.

The school has a Data Protection Officer, who may be contacted at adminoffice@wellstead.hants.sch.uk or 01489 799351

The school issues Privacy Notices (also known as Fair Processing Notices) to all pupils/parents and staff. These summarise the personal information held about pupils and staff, the purpose for which it is held and who it may be shared with. It also provides information about an individual's rights in respect of their personal data.

Purpose

This policy sets out how the school deals with personal information correctly and securely and in accordance with the UK GDPR, and other related legislation.

This policy applies to all personal information however it is collected, used, recorded and stored by the school and whether it is held on paper or electronically.

What is Personal Information/ data?

Personal information or data means any information relating to an identified or identifiable individual. An identifiable individual is one who can be identified, directly or indirectly by reference to details such as a name, an identification number, location data, an online identifier or by their physical, physiological, genetic, mental, economic, cultural or social identity. Personal data

includes (but is not limited to) an individual's name, address, date of birth, photograph, bank details and other information that identifies them.

Data Protection Principles

The UK GDPR establishes six principles as well as a number of additional duties that must be complied with at all times:

1. **Lawfulness, fairness and transparency.** Personal data shall be processed lawfully, fairly and in a transparent manner. In order for personal data to be processed lawfully, it must be processed on the basis of one of the legal grounds set out in the UK GDPR. These include (amongst other relevant conditions) where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority exercised by the school.

Where the special categories of personal data are processed, this shall include (amongst other relevant conditions) where processing is necessary for reasons of substantial public interest.

When processing personal data and special category data in the course of school business, the school will ensure that these requirements are met where relevant.

2. **Purpose limitation.** Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (subject to exceptions for specific archiving purposes). The school will only process personal data for specific purposes and will notify those purposes to the data subject when it first collects the personal data or as soon as possible thereafter.

3. **Data minimisation.** Personal data shall be adequate, relevant and limited to what is necessary to the purposes for which they are processed and not excessive. Personal data which is not necessary for the purpose for which it is obtained will not be collected.

4. **Accuracy.** Personal data shall be accurate and where necessary, kept up to date; Personal data should be reviewed and updated as necessary and should not be retained unless it is reasonable to assume that it is accurate. Individuals should notify the school of any changes in circumstances to enable records to be updated accordingly. The school will be responsible for ensuring that updating or records takes place where appropriate.

5. **Storage limitation.** Personal data shall be kept in a form that permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed. The school will not keep personal data for longer than is necessary for the purpose or

purposes for which they were collected and will take reasonable steps to destroy or erase from its systems all data which is no longer required.

6. **Integrity and confidentiality.** Personal data shall be processed in a manner that ensures appropriate security of the personal data and which includes protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Duties

Personal data shall not be transferred to a country or territory outside the UK and the European Union (EU)/European Economic Area (EEA), unless that country or territory ensures an adequate level of data protection.

Data Controllers have a General Duty of accountability for personal data.

Commitment

The school is committed to maintaining the principles and duties in the UK GDPR at all times. Therefore the school will:

- Inform individuals of the identity and contact details of the data controller.
- Inform individuals of the contact details of the Data Protection Officer
- Inform individuals of the purposes that personal information is being collected and the basis for this.
- Inform individuals when their information is shared, and why and with whom unless the UK GDPR provides a reason not to do this.
- If the school plans to transfer personal data outside the UK and the EU/EEA the school will inform individuals and provide them with details of where they can obtain details of the safeguards for that information.
- Inform individuals of their data subject rights.
- Inform individuals that the individual may withdraw consent (where relevant) and that if consent is withdrawn that the school will cease processing their data although that will not affect the legality of data processed up until that point.
- Provide details of the length of time an individual's data will be kept
- Should the school decide to use an individual's personal data for a different reason to that for which it was originally collected the school shall inform the individual and where necessary seek consent.
- Check the accuracy of the information it holds and review it at regular intervals.

- Ensure that only authorised personnel have access to the personal information whatever medium (paper or electronic) it is stored in.
- Ensure that clear and robust safeguards are in place to ensure personal information is kept securely and to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded.
- Ensure that personal information is not retained longer than it is needed.
- Ensure that when information is destroyed that it is done so appropriately and securely.
- Share personal information with others only when it is legally appropriate to do so.
- Comply with the duty to respond to requests for access to personal information (known as Subject Access Requests).
- Ensure that personal information is not transferred outside the UK and the EU/EEA without the appropriate safeguards.
- Ensure that all staff and governors are aware of and understand these policies and procedures.

Retention and Disposal of Personal Data

The school will dispose of personal data in a way which protects the rights and privacy of data subjects (e.g. shredding, disposal as confidential waste, secure electronic deletion) as appropriate.

The school maintains a Retention Schedule that is specific and relevant to the specific types of information retained. The schedule outlines the appropriate periods for retention in each case.

Complaints

Complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to the handling of personal information may be referred to the Information Commissioner who can be contacted at Wycliffe House, Water Lane Wilmslow Cheshire SK9 5AF or at www.ico.gov.uk

Review

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The policy review will be undertaken by the Data Protection Officer, Head teacher, or nominated representative.

Contacts

If you have any enquiries in relation to this policy, please contact Tina Clark who will also act as the contact point for any queries.

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Wellstead Primary School

Privacy Notice for STAFF

Wellstead Primary School is the Data Controller for the use of personal data in this privacy notice.

The categories of information that we process include:

- Personal information (such as name, employee or teacher number, national insurance number, photographs, emergency contact details, date of birth, marital status, gender).
- Salary, annual leave, pension and benefits information.
- Bank account details, payroll records, National Insurance number and tax status information.
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process.
- Characteristics information (such as gender, age, ethnic group).
- Work absence information (such as number of absences and reasons).
- Performance Management information.
- Information regarding disciplinary or grievance issues.
- Photographs.

In addition, we may process the following “special category information”:

- Relevant health or medical information (such as in respect of absences).
- Trade Union membership.
- Race, ethnicity, or religious beliefs, sexual orientation.

Why we collect and use workforce information

We use workforce data to:

- Enable individuals to be paid.
- Enable safe recruitment and compliance with associated responsibilities.
- Enable and support performance management.
- Inform the development of recruitment and retention policies.
- Enable the development of a comprehensive picture of the workforce and how it is deployed.
- Enable equalities monitoring and compliance with equalities duties.
- Ensure safeguarding checks are carried out

Our legal bases for processing workforce information:

Under the General Data Protection Regulation (GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

- For the purposes of performance of a contract (e.g. contracts of employment, contracts for services etc).
- Where processing is necessary for compliance with legal obligations of the Governing Body (e.g. including but not limited to legal obligations under the Education Act 2002; Education Act 2005, the School Staffing Regulations 2009; the Employment Rights Act 1996, relevant tax law and other employment law obligations)
- Where processing is necessary for the performance of a task carried out in the public interest or exercise of official authority vested in the Governing Body (e.g. education functions associated with running a school).

In addition, concerning any special category data:

- Where processing is necessary for the purposes of carrying out obligations and exercising rights of the school or staff in the field of employment.
- Where processing is necessary for reasons of substantial public interest (e.g. connected to the education functions associated with running a school).
- Where processing is necessary for the purposes of preventive or occupational medicine (e.g. where occupational health advice is sought).

Consent

In some circumstances, we may ask you for explicit consent to enable us to process your data. However, this will normally only be where there is no other legal basis for us to process this information. Where we rely on consent, you may withdraw your consent at any time.

Collecting workforce information

We collect personal information via email, application forms, ESS Lite, IBC.

Workforce data is essential for the school's / local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

Storing workforce information

We hold data securely for the set amount of time shown in the Hampshire retention schedule.

Who we share workforce information with

We routinely share some workforce information with:

- The local authority.
- The Department for Education (DfE).
- Our regulator - Ofsted.
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll.
- Our auditors.
- Police forces, courts, tribunals.
- Professional bodies.

Why we share school workforce information

We do not share information about our workforce members with anyone without consent unless the law and our policies allow us to do so.

Hampshire County Council share information about school employees with the Department for Education on a statutory basis. This data sharing informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce, links to school funding and expenditure and supports long term research and monitoring of educational policy.

We are required to share information about our school employees with our local authority under regulation 5 of the Education (Supply of Information about the School Workforce) (No 2) (England) Regulations 2007 (as amended). Our Local Authority has a duty to provide the Department of Education with the information about our school employees under regulation 6 of the Education (Supply of Information about the School Workforce) (No 2) (England) Regulations 2007.

To find out more about the data collection requirements placed on [us/the local authority] 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 Department 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 Department 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 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 workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

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

We occasionally share workforce information with suppliers (for example a payroll provider, professional HR advisers or occupational health providers) to enable the school to receive services that support our legal obligations to staff (e.g. to pay them) or for the purposes of fulfilling public tasks (e.g. running and staffing a school).

Requesting access to your personal data

Under the General Data Protection Regulation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the Data Protection Officer at adminoffice@wellstead.hants.sch.uk

You also have the right to:

- Object to processing of personal data that is likely to cause, or is causing, damage or distress.
- Prevent processing for the purpose of direct marketing.
- Object to decisions being taken by automated means.
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- A right to seek redress, either through the ICO, or through the courts.

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

Contact:

If you would like to discuss anything in this privacy notice, please contact: Data Protection Officer at: adminoffice@wellstead.hants.sch.uk

Wellstead Primary School

Privacy Notice for PUPILS & PARENTS

Wellstead Primary School is the Data Controller for the use of personal data in this privacy notice.

Why do we collect and use personal information?

We collect and use personal information:

- To support pupil learning.
- To monitor and report on pupil progress.
- To provide appropriate pastoral care.
- To assess the quality of our services and how well our school is doing.
- Statistical forecasting and planning.
- To comply with the law (including legal requirements to share data with the local authority and department of education).
- To keep children safe (food allergies or emergency contact details).
- To meet the statutory duties placed upon us by the Department for Education.
- To ensure that we are able to contact parents and carers in the case of an emergency.
- To ensure that our medical provision for individual pupils meets their specific requirements as stated on health care plans.
- For effective communication with parents and carers.
- To ensure that we have the correct permissions for the sharing of images of the pupil.
- To ensure that we have the correct permissions for school trips, including local visits.

The categories of personal information that we collect, hold and share include:

- Personal information (such as name, unique pupil number and address).
- Contact details and preferences (such as name, address, email, telephone/mobile numbers).
- Characteristics (such as ethnicity, language and free school meal eligibility).
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attend) and exclusions.
- Assessment information, including outcomes of statutory, non-statutory and diagnostic assessments.
- Modes of travel.
- Relevant medical, special educational needs and behavioural information including referrals to and involvement of external agencies.
- Safeguarding information (such as court orders and professional involvement).
- Medical information.
- Any information that has been raised as a parental or pastoral care concern.
- Information that will ensure the health, safety and well-being of pupils, such as Personal Emergency Evacuation Plans.
- Parenting and guardianship arrangements as imposed by the law.
- Safeguarding information (such as court order and professional involvement).
- Photographs and CCTV images captured in school or during educational visits.
- Records of correspondence and contact with us.
- Special Educational Needs information.

Legal Basis for Processing

The General Data Protection Regulation allows us to collect and use pupil information with consent of the data subject, where we are complying with a legal requirement, where processing is necessary to protect the vital interests of a data subject or another person and where processing is necessary for the performance of a task carried out in the public interest or in the exercise of

official authority vested in the controller. When the personal information is Special Category Information we may rely on processing being in the substantial public interest in addition to consent of the data subject and the vital interests of the data subject or another.

Our requirement for this data and our legal basis for processing this data where complying with a legal requirement includes the Education Act 1996, 2002 and 2011, The Children's Act 1989 and 2004, Education and Skills Act 2008, Schools Standards and Framework Act 1998 and the Equalities Act 2010.

Collecting personal information

Whilst the majority of personal information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain personal information to us or if you have a choice in this. Where we are using your personal information only on the basis of your consent you may ask us to stop processing this personal information at any time.

Storing personal data

We hold pupil data for / in accordance with the Hampshire retention schedule.

Who do we share pupil information with?

We routinely share pupil information with:

- Schools.
- Local authorities.
- Department for Education (DfE).
- Children's Services, or other professional bodies, where the health, safety and wellbeing of a pupil may be a concern.
- Health professionals (school nurse, educational psychologist, speech and language therapist, CAMHS, EMTAS)
- SEND professionals or educational settings.
- The Police, if requested as a result of a concern about a pupils' health, safety and wellbeing.
- The pupil's own parents/carers.
- Arbor (The school's information management system).
- CPOMs (CPOMs Systems Ltd).
- Google (Google Workspace for Education).
- Harrap Computer Systems Ltd (School IT provider).
- Librosoft (Schools Library System).
- NHS School Nursing Team.
- Spelling Shed (Education Shed Ltd).
- Tapestry.
- Tucasi (Scopay, School financial system for parents).
- TT Rockstars & Numbots.
- Inventory Limited (Signing in System).
- Literacy Shed including Phonics Shed.
- Medical Tracker.
- INSIGHT (Educational Tracking).
- Make Photography.
- Coolmilk
- SORA (Children's online book access)

Why we share pupil information

We do not share personal information with anyone without consent unless the law and our policies allow us to do so.

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with our local authority (LA) or the Department for Education (DfE) under regulation 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Data collection requirements:

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education 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 Department. 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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The Department may share pupils' personal data with certain third parties, including:

- Schools.
- Local authorities.
- Researchers.
- Organisations connected with promoting the education or wellbeing of children in England.
- Other government departments and agencies.
- Organisations fighting or identifying crime.

For more information about the Department's NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

Requesting access to your personal data

Under the General Data Protection Regulation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the Data Protection Officer at adminoffice@wellstead.hants.sch.uk

You also have the right, subject to some limitations to:

- Object to processing of personal data that is likely to cause, or is causing, damage or distress.
- Prevent processing for the purpose of direct marketing.
- Object to decisions being taken by automated means.
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and a right to seek redress, either through the ICO or through the courts.

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/>

Contact:

If you would like to discuss anything in this privacy notice, please contact:
Tina Clark, Data Protection Officer at: adminoffice@wellstead.hants.sch.uk

Wellstead Primary School

Privacy Notice for School VOLUNTEERS

Wellstead Primary School collects personal information about you in order to recruit and manage our volunteers. The personal information being collected is any personal data, special category data and criminal offence data contained in your application, any references and DBS certificate we receive.

Wellstead Primary School will use your personal information to process your application which will include carrying out a DBS check.

If your application is successful, Wellstead Primary School will use your contact details to contact you in relation to voluntary activities and matters such as training or meetings.

If your application is successful, Wellstead Primary School will ask you to provide emergency contact details which will be used in case of emergency.

The legal basis for Wellstead Primary School's use of your personal data is that it is necessary

- It is necessary to comply with a legal obligation.
- It is necessary for the performance of a public task carried out in the public interest.

The legal basis for Wellstead Primary Schools's use of your special category data and any criminal offence data is that is necessary.

- Where processing is necessary for reasons of substantial public interest (e.g. connected to the education functions associated with running a school).

Wellstead Primary School will share your personal information with Hampshire County Council to carry out a DBS check.

Wellstead Primary School will keep your personal information stored securely.

If your application is successful your personal information will be retained until 6 months from the date you finish volunteering.

If your application is unsuccessful, Wellstead Primary School will retain your personal information for 6 months after the date you were notified of the decision.

You can contact the School's Data Protection Officer, via adminoffice@wellstead.hants.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/>

Wellstead Primary School

Privacy Notice for School GOVERNORS

Wellstead Primary School collects personal data about our governors. The personal data is required for the school to fulfil their official functions and meet legal requirements.

The personal data collected is:

- Contact details (name, address, telephone no., email address & emergency contact).
- Date of birth.
- Governor details (e.g. start and end dates, type of governor, appointed by, term, committees, responsibilities (e.g. vice chair) and governor ID).
- Business and other interests (e.g. business and pecuniary interests, relationships with members of school staff, governor roles at any other schools).
- Attendance record (e.g. at governing body and committee meetings).
- Criminal records certificate.
- The date you were at the school; and your arrival and departure times.
- Photographs.

We collect and use governor information, for the following purposes:

- To meet the statutory duties placed upon us. *Note: e.g. duty to provide information to other organisations.*
- The administration of the governing body. *Note: e.g. governor elections, appointing governors, skills audit, arranging or providing training and development.*
- Enable safe recruitment and compliance with associated responsibilities
- Where processing is necessary for compliance with legal obligations of the Governing Body (e.g. including but not limited to legal obligations under the Education Act 2002; Education Act 2005, the School Staffing Regulations 2009; the Employment Rights Act 1996, relevant tax law and other employment law obligations)
- Where processing is necessary for the performance of a task carried out in the public interest or exercise of official authority vested in the Governing Body (e.g. education functions associated with running a school).

The legal basis for our use of your personal data is:

- It is necessary to comply with a legal obligation.
- It is necessary for the performance of a public task carried out in the public interest.
- It is necessary for reasons of substantial public interest.

We may share your information with the following organisations:

- **DfE.** We have a legal duty to provide the DfE with information about our governors.
- **Hampshire County Council.** We have a legal duty to provide HCC with information about our governors which enables the local authority to comply with its duties e.g. to provide training. *Note: This applies to maintained schools only.*
- **Governor Services** (for training purposes)
- **Inventory Limited** (school signing-in system)

Wellstead Primary School will keep your personal information stored securely.

Your personal information will be retained in accordance with the Hampshire retention schedule.

You can contact the School's Data Protection Officer, via adminoffice@wellstead.hants.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/>