



Westfield Nursery School Privacy Notice

Data Controller	Westfield Nursery School
	Westfield Road, Dunstable, Bedfordshire, LU61DL Tel: 01582 608650

The purpose of a Privacy Notice

The Data Protection Act (2018) sets out in UK law the legal framework with which education settings and local authorities must comply when they process the personal data. Providing accessible information to individuals about the use of their personal information (data) is a key element of their legal right to transparency as set out in the UK General Data Protection Regulation (UK GDPR).

A copy of this Privacy Notice is available on our website <http://www.westfieldnurseryschool.org>
Please refer to the website copy of this Privacy Notice for the latest version as it will be updated from time to time to reflect any changes in our circumstances.

Contact

If you have any questions or queries or would like to discuss anything in this Privacy Notice, please contact: Mrs Collins, Headteacher

Definitions

- Data controller - The organisation who (either alone or in common with other people) determine the purpose for which, and the way data are processed.
- Data Processor - A person or organisation who process data on behalf of and on the orders of a controller
- Data Subject – the person about who you are processing data.
- Data Protection Officer – an officer of the education establishment or local authority who is responsible for data protection issues within the organisation.
- Personal Data is classed as any information which on its own or in conjunction with other information available to a Data Controller can identify a Data Subject.
- Some Personal Data is classed as being part of a special category and if you control or process special category you need additional reason to process the data. UK GDPR specifically defines 'special category' as data relating to: racial or ethnic origin, religious or philosophical beliefs, health
For the purposes of data protection legislation, the terms 'process', 'processed' or 'processing' apply to any activity involving the personal data, such as: collecting, storing, sharing and destroying.

Data Controller

The data controller is Westfield Nursery School.

Data Processor

The data processor is Mrs Hitchcock, School Business Manager. RM/ HR & Pay role

Data Subjects

The data subjects are pupils, parents/ carers, and staff and **Governors. Prospective, current, past**

Data Protection Officer

The data Protection Officer is Mrs Collins, Headteacher.

How We Use Personal Information Relating to Our Pupils

This Privacy Notice is to let you know how we as an educational setting look after personal information about our pupils and their families. This includes the information you provide us as well as information we hold about our pupils relating to their education. This notice explains the reasons why we hold personal information, how we use this information, who we share it with and how we keep it secure.

How We Collect Pupil Information

We obtain pupil information on entry to Nursery through our 'new pupil' registration forms and our 'All About Me' leaflets. We also collect any changes to pupil information during the academic year as part of our data administration process to keep the information we hold as up to date as possible. **Information on illness, sick, absence, injuries, other information collected (not just reported by parents)**

We Collect and Hold Pupil Information (Data) Including:

- Personal identifiers about the pupils which come to our school such as name, unique pupil number and address, date of birth
- Characteristics such as home language and special educational needs
- Information that is categorised as special data such as gender, ethnicity, religion and medical information
- Contact information such as parent/ carer and other contact names and telephone numbers for use in cases of emergency; Parental responsibility
- Safeguarding information such as court orders, professional involvement and contact with non-resident parents
- Medical information such as GP surgery details, dentist, allergies, immunisations, medication and dietary requirements; Health visitor
- Sibling information
- History of previous settings attended
- **Accidents/ injuries**

In addition to the information we collect from parents/carers, we also record and hold the following information:

- Attendance information such as sessions attended, number of absences and absence reasons
- Assessment information recorded at various assessment capture points during the academic year
- Behaviour information

We use the pupil data to:

- support pupil learning
- record and report on attendance
- monitor and report on pupil attainment and progress
- keep children safe whilst in our care (safeguarding)
- provide appropriate pastoral care
- assess the quality of our services
- comply with the law regarding data returns and sharing
- provide any additional support

We Collect and Hold Parent/ Carer Information (Data) Including:

- name
- address
- contact details
- Parental Responsibility
- National Insurance Number
- **Court order information?**

We use parent/carers contact information to:

- email parent/carers for purpose of notification of school events, share pupil schoolwork and various reports relating to the pupil's life at the school
- telephone parents/carers in cases of emergency or other matters relating to the safety of the child
- Help parents/ carers access additional funding or support from the local authority
- **Support safeguarding/ court order requirements**

The Lawful Basis on Which We Hold and Use This Information

We collect and use pupil information under the legal basis of **public interest** as an educational setting/school with the delegated task of educating and safeguarding the children in our care and

under a **legal obligation** which necessitates our school making statutory data returns to the Department for Education (DfE) and the Local Authority *[as described in Article 6, GDPR]*.

Our school is obliged to make statutory pupil census returns and hold attendance information under the following legislation:

- Education Act 1996 – Section 434 (1),(3), (4) & (6) and Section 458 (4) & (5)
- Education (Pupil Registration) (England) (Amendment) Regulations 2013
- Department of Education Advice on Attendance (Nov 2016)

The special categories of data have been collected through explicit consent from the data subject in support of the specific purposes for which the data is being used in the education and safeguarding of pupils in our care *[Article 9, GDPR]*.

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>.

Whilst the majority of pupil information you provide to us is mandatory (for reasons described above), there may be some information which we ask you for which is not mandatory but provided on a voluntary basis.

In some cases, we will ask you for information on the legal basis of **legitimate interest** where the information is required to support an educational or safeguarding function.

The data we collect relating to medical health information is necessary to protect the **vital interests** of the child so that we can ensure a child's medical needs are properly addressed and catered for.

As a parent/carer, you cannot decline a data collection, but you have right to decline providing information for self-declared data items by selecting the 'Prefer not to say' option e.g. ethnicity. **There are certain personal data items (e.g. photographs) which we collect on the legal basis of legitimate interest.** We will ask you for your explicit consent about how these data items can be used if the purpose extends beyond holding the data within our main management information system (e.g. photograph on our school's website). As a parent/carer you can change your decision to grant or withdraw consent at any time.

If at any point in the future, we seek to use any previously collected information for another purpose **or use the information in new software**, we will ask for your **explicit consent** to do so. **We will notify you about this**

Who We Share Pupil Information With

We routinely share pupil information with:

- the school that a pupil attends after leaving us
- the local authority
- the Department for Education (DfE)

We also provide certain pupil data with other parties that provide a service for our school:

- Health Visitors/ Doctors
- Social Care
- Early Years Support Team
- Photographer for individual and class photographs

The majority of our pupil information is processed in our main Management Information System (MIS) which is RM Integrus. However, our school also purchases third party software to help us provide additional functions and services. Certain data held on our main management information system is also shared with third party software providers for the following reasons:

- Email/ text messaging software which uses the contact names and telephone numbers used to notify parents/carers of certain events and important notices

We actively ensure that all of the third-party **software** organisations we share data with comply with the General Data Protection Regulations through their Privacy Notices and Data Sharing Agreements that they share with us.

Why We Share Pupil Information with External Parties

We do not share information about our pupils with anyone without consent unless the legal basis for holding and sharing the data allows us to do so.

We share pupil data with the Department for Education (DfE) and the Local Authority on a statutory basis through data collections such as the school census under the following statutes:

- Section 573A of the Education Act 1996
- Education Act 1996 s29(3)
- Education (School Performance Information) (England) Regulations 2007
- Regulations 5 & 8 School Information (England) Regulations 2008
- Education (Pupil Registration) (England) (Amendment) Regulations 2013

Further information about the data collection requirements placed on our school by the DfE through the school census can be found at <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

The data shared with the DfE and the local Authority is **for the purpose of:**

- determining school funding which is calculated based upon the numbers of children and their characteristics in our school
- informing the monitoring of 'short term' education policy such as Pupil Progress measures
- supporting the 'longer term' research and monitoring of educational policy

Most of the pupil data we share with the DfE is held within their **National Pupil Database (NPD)**. *Please refer to the last page of this Privacy Notice for more information about the NPD and their basis for sharing data with third parties.*

Our Local Authority's Privacy Notice relating to **two year old pupil information** can be found at <http://www.centralbedfordshire.gov.uk/school/professionals/two-year-old-funding/privacy.aspx> and their Privacy Notice relating to **pupil information** can be found at <http://www.centralbedfordshire.gov.uk/schools-portal/administration/school-privacy-notice.aspx>

We Collect and Hold Staff Information (Data) That Includes:

- personal information (such as name, address, employee or teacher number, national insurance number, banking details)
- emergency contact information (such as name and contact details)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start date, hours worked, post, and salary information)
- work absence information (such as number of absences and reasons)
- qualifications **and training** (where relevant)
- medical information, **including accidents and injuries**

We use workforce data to:

- **comply with our duties as your employer**
- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid
- make contact with key people in emergency situations

Collecting Workforce Information

We collect personal information via staff contract and contact forms **accidents, appraisals, performance**. 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 UK 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 our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit the

website. Data is held securely either in locked cabinets if paper based or password protected if electronic.

Who We Share Workforce Information With

We routinely share this information with:

- our local authority (Central Bedfordshire)
- Bedford Borough (for HR and payroll)
- the Department for Education (DfE)

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.

Local Authority

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children and young people with the Department for Education (DfE) for the purpose of those data collections, under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

How We Keep Personal Data Secure (ALL)

We fully adhere to our General Data Protection policies which outline our procedures and processes for accessing, handling and storing data safely in accordance with all the UK GDPR principles.

These policies are regularly reviewed and ratified by our governors. The following processes ensure that we comply with data protection legislation in how we manage the protection of personal data:

- Our networks, file systems and server operating systems are secured through firewalls and spyware/ virus detection programs on our servers to prevent unauthorised access to our data
- Data held in a physical location within the school is held securely and only accessible by staff with appropriate authorisation
- Access to data on systems is through individual passwords which are carefully managed and monitored
- Any data that is removed from the school is minimised and encrypted
- Older data is safely removed from computers and other devices
- Data shared with the DfE and the Local Authority is shared through secure file transfer systems. Any data shared with other legitimate third parties where there is a legal basis for sharing will only be shared through secure methods
- Data shared with third party software suppliers is controlled by the school. We will only deal with suppliers who can demonstrate that they comply with the requirements of data protection legislation and not use personal data for any other purpose than the purpose for fulfilling the functions we have contracted with them (e.g. assessment)
- We ensure all staff receive regular training on data protection

We also adhere to our **Data Breach Procedures Policy** in the event of a data breach. These procedures explain how our school responds to occurrences of known or reported data breaches. A copy of this policy is available on our school website at <http://www.westfieldnurseryschool.org>

Requesting Access to Your Personal Data (ALL – rights) Data Subject Rights

Under data protection regulations, you as the parent/carer have the following rights:

- Right to be informed
- Right to access to your child's or your personal information
- Right to have inaccurate personal data rectified, blocked, erased or destroyed in certain circumstances
- Right to object to processing of personal data that is likely to cause, or is causing, damage or distress

- Right to restrict processing for the purpose of direct marketing
- Right to data portability
- Right to object to decisions being taken by automated means
- Right to claim compensation for damages caused by a breach of the Data Protection regulations

It should be noted that some of these rights will not apply in circumstances where allowing them would significantly reduce or prevent our ability to perform our duties as a school and safeguard the children in our care.

You do have the right to request access to personal information about you and/or your child we hold. To request access to your personal information or to your child's educational record, you can make a **Subject Access Request (SAR)**. For further information about this contact Mrs Collins, Head Teacher.

Our school will follow procedures outlined in our **Subject Access Request Policy** available from our website <http://www.westfieldnurseryschool.org> which follows the guidelines promoted by the data protection regulations.

Please note that whilst we aim to respond to requests within the required time period of one month, we may not be able to honour this time period if we receive requests just before or during school holidays. If the nature of the request is complex and/or the request falls within a holiday period, we will aim to reach a mutually agreed alternative time period.

How Long We Keep Personal Information

We hold pupil data for the period determined appropriate for the different types of data we hold. We will keep information for the minimum period necessary in accordance with DfE's/ Central Bedfordshire's data retention recommendations which take into account legal and safeguarding considerations linked to the types of data held. Our **Data Retention Schedule** can be found as part of the record retention and disposal policy on our website at <http://www.westfieldnurseryschool.org>. All information is held securely and will be destroyed as appropriate under secure and confidential conditions.

Let Us Know of Any Changes to Personal Information and Emergency Contact Information

We will contact you to ensure that all the personal information and emergency contact details we have for your child is accurate and up-to-date. We would encourage you very strongly to ensure that any changes to phone numbers in particular are notified to our school office as soon as possible.

Withdrawal of Consent

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, please let us know by contacting Mrs Collins, Headteacher.

Reporting Concerns About Our Data Protection Processes

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

How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us at **[Insert your organisation's contact details for data protection queries]**.

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office
Wycliffe House

Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>

Keeping You Informed Through This Privacy Notice

We aim to keep you informed of any changes to our data collections and data protection obligations through this Privacy Notice – the latest copy will be available on our website at <http://www.westfieldnurseryschool.org>.

Last Updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated on 01.06.24 and previously on 18.02.23

How Government uses your data- Department for Education (DfE)

Data Collection Requirements

To find out more about the data collection requirements placed on us by the Department for Education (DfE) including the data that we share with them, 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.

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

School Workforce

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- informs the Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

Sharing Data by the DfE

The DfE can legally share information about our pupils from the NPD with third parties who are:

- organisations involved with promoting the education or well-being of children in England:
- researchers, analysts or statisticians
- schools
- local authorities
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

How the DfE Keeps Data Secure

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet [ISO27001 standards](#) and the [government security policy framework](#).

The Department has robust processes in place to ensure the confidentiality of our pupils' data is maintained and there are stringent controls in place regarding access and use of the data.

Decisions on whether DfE releases 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 store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

How to find out what personal information the Department for Education (DfE) hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you

should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

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

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>