



Marsh Baldon CE Primary School

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Data Protection Policy

The Data Protection Policy also incorporates Privacy Notices for parents and pupils, workforce, and individuals with governance roles

Our Vision

'I came to give life, life in all its fullness' John 10:10

Contents

1. Aims	2
2. Legislation and Guidance	2
3. Definitions	2
4. The Data Controller	3
5. Data Protection Principles	3
6. Roles and Responsibilities	3
7. Collecting Personal Data	4
8. Sharing Personal Data	5
9. Subject Access Requests and Other Rights of Individuals	5
10. Data Protection by Design and Default	6
11. Data Accuracy	7
12. Storage of records	8
13. Disposal of Records	8
14. Training	8
15. Monitoring Arrangements	8
16. Links with other policies	8

Appendices

Privacy Notice for Pupils and Parents	9
Privacy Notice for Workforce	13
Privacy Notice for individuals with Governance roles	17

1. Aims

We aim to ensure that all data collected about staff, pupils, parents, governors, volunteers, visitors and other individuals is collected, stored and processed in accordance with the General Data Protection Regulation 2018 (GDPR). This policy applies to all data, regardless of whether it is in paper or electronic format.

2. Legislation and Guidance

With effect from May 2018, the data protection arrangements for the UK changed following the implementation of the European Union *General Data Protection Regulation* (GDPR).

GDPR is a European Regulation and has direct effect in UK law and automatically applies in the UK until we leave the EU (or until the end of any agreed transition period, if we leave with a deal). After this date, it will form part of UK law under the European Union (Withdrawal) Act 2018, with some technical changes to make it work effectively in a UK context.

The Data Protection Act 2018 sits alongside the GDPR, and tailors how the GDPR applies in the UK and provides the UK-specific details such as how to handle education and safeguarding information.

This policy meets the requirements of the GDPR and is based on guidance published by the *Information Commissioner's Office* (ICO) and model Privacy Notices published by the *Department for Education* (DfE).

3. Definitions

Term	Definition
Personal data	Data from which a person can be identified, including data that, when combined with other readily available information, leads to a person being identified
Sensitive personal data (Special Category)*	Personal data which is more sensitive and so needs more protection, including information about: • Contact details • Racial or ethnic origin • Political opinions • Religious beliefs, or beliefs of a similar nature • Membership of a trade union • Physical and mental health • Sexual orientation • Whether a person has committed, or is alleged to have committed, an offence • Criminal convictions
Processing	Obtaining, recording, storing, altering or destruction of data
Data Subject	The living individual whose personal data is held or processed
Data Controller	A person or organisation that determines the purpose for which, and the way personal data is processed
Data Processor	A person, other than an employee of the Data Controller, who processes the data on behalf of the Data Controller
Personal Data Breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data

* to lawfully process special category data, you must identify both a lawful basis and a separate condition for processing special category data

4. The Data Controller

We process personal information relating to staff, pupils, parents, governors, volunteers, visitors and other individuals and, therefore, we are a Data Controller.

The School is registered as a Data Controller with the ICO and renews this registration annually.

5. Data Protection Principles

The GDPR is based on the following data protection principles, or rules, for good data handling. The Data Controller must ensure that Personal Data shall be:

- processed lawfully, fairly and in a transparent manner
- collected for specified, explicit and legitimate purposes
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary for the purposes for which it is processed
- processed in a manner that ensures it is appropriately secure

This policy sets out how the school aims to comply with these principles.

6. Roles and responsibilities

Everyone in the school has the responsibility of handling protected or sensitive data in a safe and secure manner. The Governing Body has overall responsibility for ensuring that the school complies with its obligations under the GDPR.

Day-to-day responsibilities rest with the Headteacher who will ensure that all staff are aware of their data protection obligations, and oversee any queries related to the storing or processing of personal data.

Staff are responsible for ensuring that they collect and store any personal data in accordance with this policy. Staff must also inform the school of any changes to their personal data, such as a change of address.

The *Data Protection Officer* (DPO) is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law and developing related policies and guidelines where applicable. The DPO is also the point of contact for the ICO.

Data breach reporting is mandatory under the GDPR and all staff are aware of their obligation to report data breaches to the DPO within 72 hours of detection. The DPO will assess the risk to people's rights and freedoms following the breach, and if a risk is likely, then they will notify the ICO.

7. Collecting Personal Data

7.1 Lawfulness, fairness and transparency

Data must be processed under one of the following lawful processing criteria:

- Consent: the data subject has given clear consent for you to process their personal data for a specific purpose (see below for further guidance)
- Contract: the processing is necessary for a contract you have with the data subject
- Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations)
- Vital interests: the processing is necessary to protect someone's life
- Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law
- Legitimate interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. Please also be aware that these criteria must be supported by a written legitimate interest assessment

If it is not possible to identify an appropriate lawful process criteria, the activities should be discontinued.

7.2 Limitation, minimisation and accuracy

We will only collect personal data for specified, explicit and legitimate reasons. We will explain these reasons to the individuals when we first collect their data.

If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned before we do so and seek consent where necessary.

Staff must only process personal data where it is necessary in order to do their jobs.

When staff no longer need the personal data they hold, they must ensure it is deleted or anonymised. This will be done in accordance with the school's records management policy.

7.3 Privacy/Fair Processing Notice

Privacy Notices provide information to Data Subjects about the processing activities of Personal Data; the Legal Basis of processing, and the rights of the Data Subject.

Privacy Notices are a key compliance requirement as they ensure that each data subject is aware of the following points when data is collected/ processed by a data controller:

- Who the controller of the personal data is
- What personal data is being processed and the lawful purpose of this processing
- where and how the personal data is sourced
- to whom the personal data may be disclosed
- how long the personal data may be retained
- data subject's rights and how to exercise them or make a complaint

Our Privacy Notices are included in the Appendix of this policy

8. Sharing personal data

We will not normally share personal data with anyone else, but may do so where:

- There is an issue with a pupil or parent/carer that puts the safety of our staff at risk
- We need to liaise with other agencies – we will seek consent as necessary before doing this
- Our suppliers or contractors need data to enable us to provide services to our staff and pupils – for example, IT companies. When doing this, we will:
 - Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with data protection law
 - Establish a data sharing agreement with the supplier or contractor, either in the contract or as a standalone agreement, to ensure the fair and lawful processing of any personal data we share
 - Only share data that the supplier or contractor needs to carry out their service, and information necessary to keep them safe while working with us

We will also share personal data with law enforcement and government bodies where we are legally required to do so, including for:

- The prevention or detection of crime and/or fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax owed to HMRC
- In connection with legal proceedings
- Where the disclosure is required to satisfy our safeguarding obligations
- Research and statistical purposes, as long as personal data is sufficiently anonymised or consent has been provided

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

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.

9. Subject Access Requests and other rights of individuals

9.1 Subject Access Requests

Under the GDPR, individuals have a right to request access to information the school holds about them. Parents have the right to request access to information about their children, or with respect to any personal data the school holds about them. Parents also have a legal right to access their child's educational record. This is known as a Subject Access Request.

Subject Access Requests must be submitted in writing, either by letter or email. Requests should include:

- The subject's name
- A correspondence address
- A contact number and email address
- Details about the information requested

If you make a Subject Access Request, and if we do hold information about you or your child, within the timeframe of a month* 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

** during school holidays this may not be possible but we will endeavour to fulfil your request in a timely manner*

We reserve the right to charge for requests which are deemed to be excessive.

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

We will not reveal information in response to Subject Access Requests:

- that might cause serious harm to the physical or mental health of the subject or another individual
- that would reveal that the child is at risk of abuse, where disclosure of that information would not be in the child's best interests
- contained in adoption and parental order records
- given to a court in proceedings concerning the child

9.2 Other data protection rights of the individual

In addition to the right to make a Subject Access Request (see above), and to receive information when we are collecting their data about how we use and process it (see section 7), individuals also have the right to:

- Withdraw their consent to processing at any time
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest
- Request a copy of agreements under which their personal data is transferred outside of the European Economic Area
- Object to decisions based solely on automated decision making or profiling (decisions taken with no human involvement, that might negatively affect them)
- Prevent processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Make a complaint to the ICO
- Ask for their personal data to be transferred to a third party in a structured, commonly used and machine readable format (in certain circumstances)

To make a request for personal information; be given access to your child's educational record; or to exercise any of the above rights, contact the school office on 01865 343249 or office@marshbaldonschool.co.uk.

10. Data protection by design and default

10.1 The integration of Data Protection

We will put measures in place to show that we have integrated data protection into all of our data processing activities, including:

- Appointing a suitable DPO, and ensuring they have the necessary resources to fulfil their duties and maintain their expert knowledge
- Only processing personal data that is necessary for each specific purpose of processing, and always in line with the data protection principles set out in relevant data protection law (see section 6)
- Completing an annual review where the school's processing of personal data presents a high risk to rights and freedoms of individuals, and when introducing new technologies (the DPO will advise on this process)
- Integrating data protection into internal documents including this policy, any related policies and Privacy Notices
- Regularly training members of staff on data protection law, this policy, any related policies and any other data protection matters; we will also keep a record of attendance
- Regularly conducting reviews and audits to test our privacy measures and make sure we are compliant

- Maintaining an audit log of our processing activities, including:
 - For the benefit of data subjects, making available the name and contact details of our school and DPO and all information we are required to share about how we use and process their personal data (via our Privacy Notices)
 - For all personal data that we hold, maintaining an internal record of the type of data, data subject, how and why we are using the data, any third-party recipients, how and why we are storing the data, retention periods; how we are keeping the data secure (Data Asset Register)

10.2 Data Protection Impact Assessments (DPIA)

DPIA are carried out when necessary, for example, to ensure protection of personal data when accessed using any remote access solutions, or entering into a relationship with a new supplier (this may also require ensuring that data processing clauses are included in the supply contract or as an addendum), or if legislation changes.

DPIA identify and address privacy risks early on in any project so that you can mitigate them before the project goes live. DPIAs should be carried out under the support and guidance of the DPO. Ideally you should conduct a DPIA before processing activity starts. However, some may need to be retrospective in the early stages of compliance activity.

The assessment will involve:

- recognising the risks that are present
- judging the level of the risks (both the likelihood and consequences)
- prioritising the risks

According to the ICO a DPIA should contain:

- a description of the processing operations and the purpose
- an assessment of the necessity and proportionality of the processing in relation to the purpose
- an assessment of the risks to individuals
- the measures in place to address risk, including security and to demonstrate that you comply

Or more simply and fully:

- who did you talk to about this?
- what is going to happen with the data and how – collection, storage, usage, disposal
- how much personal data will be handled (number of subjects)
- why you need use personal data in this way
- what personal data (including if it's in a 'special category') are you using
- at what points could the data become vulnerable to a breach (loss, stolen, malicious)
- what the risks are to the rights of the individuals if the data was breached
- what are you going to do to reduce the risks of data loss and prove you are compliant with the law

Also available to schools, is a self-review tool from South West Grid for Learning; this allows schools to carry out a more detailed review of their data protection policies and procedures: 360data.org.uk.

11. Data Accuracy

Data held will be as accurate and up to date as is reasonably possible. If a Data Subject informs the school of a change of circumstances, their records will be updated as soon as is practicable.

For pupils and staff, data checking sheets will be issued every 12 months.

Where a Data Subject challenges the accuracy of the data held about them, the school will immediately mark the record as potentially inaccurate, or "challenged". In the case of any dispute, we shall try to resolve the issue informally, but if this proves impossible, disputes will be referred to the Governing Body under the formal Complaints Procedure.

12. Storage of records

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

In particular:

- Paper records that contain personal information are kept securely when not in use.
- Papers containing confidential personal information should not be available to general access, i.e. left on office and classroom desks, in the staffroom, or on noticeboards.
- Where possible, personal information is not taken off site (in paper or electronic form). If this is unavoidable, staff must sign it in and out from the school. Staff must adhere to school policies and procedures when taking data off site.
- Passwords are used to access school devices, accounts and online resources. Access to data is controlled according to the role of the user.
- Portable devices and removable media are not to be used, and electronic data is stored using password protected G-Suite for Education accounts.
- Staff and pupils will not store personal information on their personal devices.
- Staff and Governors are required to use school email addresses and use cloud storage for sharing information and data.
- GDPR compliant cloud storage will be used for all online data storage
- The school is responsible for the security of any data passed to a “third party”. We carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected.

13. Disposal of Records

Records are kept in accordance with the [Information and Records Management Society’s Toolkit for Schools, module 1](#). Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely. Paper records are shredded, and electronic files are deleted.

14. Training

Staff and Governors receive data protection training as part of their induction process.

Data protection will also form part of continuing professional development, where changes to legislation or the school’s processes make it necessary to keep staff up to date.

15. Monitoring Arrangements

The Headteacher is responsible for monitoring and reviewing this policy. The DPO checks that the school complies with this policy by, among other things, reviewing school records at least annually or more frequently if required.

16. Links with other policies

This Data Protection Policy is linked to:

- Online Safety Policy
- Publication Scheme under The Freedom of Information Act



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Privacy Notice

How we use pupil and parent information

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 and parents. Marsh Baldon CE Primary School is the Data Controller for the use of personal data in this Privacy Notice.

The categories of information that we collect, hold and share (when appropriate) include:

- Personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- Characteristics (such as ethnicity, language and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Special Educational Needs (including the needs and ranking)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment and attainment (such as Key Stage 1 and phonics results, as well as internal assessments)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Photographs

We may also hold data that we have received from other organisations, including other schools, local authorities and the *Department for Education* (DfE).

Why we collect and use this information

The personal data collected is essential for the school to fulfil their official functions and meet legal requirements.

We collect and use information, for the following purposes:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to administer admissions waiting lists
- to meet the statutory duties placed on us by the DfE

Under the *General Data Protection Regulation* (GDPR), the most common lawful bases we rely on for processing pupil information are:

Legal Obligation: processing is necessary to comply with the law, for example, we have a responsibility to provide data to the DfE and local authority.

Public Task: processing is necessary to perform an official task in the public interest; for example, for us to safely and effectively run the school.

Less commonly, we may also process pupils' personal data in situations where:

Consent: the individual has given clear consent to process their personal data for a specific purpose.

For example, consent to use pupil photos on the school website

Vital Interests: processing is necessary to protect someone's life

In addition, concerning any special category (highly sensitive) data:

Processing is necessary for reasons of substantial **Public Interest** (condition of GDPR Article 9)

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.

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.

The law does not prevent information about children being shared with specific authorities if it is for the purposes of safeguarding.

Collecting pupil information

We collect pupil information via Admission Forms completed by parent/carer; Common Transfer Files from previous settings; safeguarding information from previous settings or social care.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

Storing pupil data

We hold pupil data securely during the time 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. We have adopted the [Information and Records Management Society's Toolkit for Schools, module 1](#) that sets out how long we keep information about pupils.

Who we share pupil information with

We routinely share pupil information with:

- Local Authority (Oxfordshire County Council): statutory information sharing under section 3 of The Education (Information about Individual Pupils) (England) Regulations 2013
- DfE: this information underpins school funding and educational attainment policy and monitoring
- Family and representatives: to support learning and protect welfare
- Educators and examining bodies: to conduct and mark statutory assessments
- Ofsted: in order for them to carry out their role as a regulatory body
- Suppliers and service providers: to enable them to provide the service we have contracted them for

- Destination schools: to support learning and protect welfare, to fulfill administrative duties
- School Health Nurse Team: to conduct planned screenings and educational visits to school
- Professional advisers and consultants: to support learning; provide care and protect welfare
- Police forces, courts, tribunals: to protect welfare

Why we regularly share pupil information

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

The DfE collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the DfE either directly or via our local authority for the purpose of those data collections, under Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current government security policy framework.

For more information, please see 'How Government uses your data' section.

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under the Schools Admission Code, including conducting Fair Access Panels.

Requesting access to your personal data

Under GDPR, parents and pupils have the right to request access to information about them that we hold - a *Subject Access Request*. Please refer to Section 9 of our Data Protection Policy for details of how to make a Subject Access Request.

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 ICO at <https://ico.org.uk/concerns/>

Withdrawal of consent and the right to lodge a complaint

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

We take any complaints about our collection and use of personal information very seriously.

Contact

If you would like to discuss anything in this Privacy Notice, please contact the Headteacher

This notice is based on the DfE's model privacy notice for pupils September 2020, amended for parents and to reflect the way we use data in this school.

How Government uses your data

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

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).

- supports ‘longer term’ research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

Data collection requirements

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

The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in the NPD.

The NPD is owned and managed by the DfE 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>

Sharing by the Department

The law allows the Department to 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/dfе-external-data-shares>

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a ‘subject access request’. Further information on how to do this can be found within the Department’s 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 DfE: <https://www.gov.uk/contact-dfe>



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Privacy Notice

How we use employee information

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 the workforce. Marsh Baldon CE Primary School is the Data Controller for the use of personal data in this Privacy Notice.

The categories of school workforce information that we collect, process, hold and share (when appropriate) include:

- Personal information (such as name, employee or teacher number, national insurance number)
- Characteristics information (such as gender, age, ethnic group)
- Contract information (such as start date, hours worked, post, roles and salary information)
- Work absence information (such as number of absences and reasons)
- Qualifications
- Recruitment information (such as Right to Work documentation, references)
- Medical and administration (such as next of kin; allergies, medical conditions and medication)
- Performance information, including outcomes of any disciplinary and/or grievance procedures
- Data about your use of school ICT systems
- Photographs

We may also hold data about the school workforce that we have received from other organisations, including other schools and the *Department for Education* (DfE).

Why we collect and use this information

We use school workforce data to:

- 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
- facilitate Safer Recruitment
- support effective performance management
- allow better financial modelling and planning
- enable ethnicity and disability modelling

Under the *General Data Protection Regulation* (GDPR), the most common lawful bases we rely on for processing personal information are:

Legal Obligation: processing is necessary to comply with the law, for example, we have a responsibility to provide data to the DfE and local authority.

Public Task: processing is necessary to perform an official task in the public interest; for example, for us to safely and effectively run the school.

Contract: processing is necessary for a contract you have with the individual

Less commonly, we may also process personal data in situations where:

Consent: the individual has given clear consent to process their personal data for a specific purpose.

For example, consent to use workforce photos on the school website

Vital Interests: processing is necessary to protect someone's life

In addition, concerning any special category (highly sensitive) data:

Processing is necessary for reasons of substantial **Public Interest** (condition of GDPR Article 9)

Some of the reasons listed above for collecting and using personal data overlap, and there may be several grounds which justify our use of this data.

Where we have obtained consent to use 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.

The law does not prevent information being shared with specific authorities if it is for the purposes of safeguarding.

Collecting workforce information

We collect personal information via Application Forms; Right to Work information; Identification documents; References; Qualification certificates; GP records.

Workforce data is essential for the school'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 and we will tell you what you need to do if you do not want to share this information with us.

Storing this information

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with the records retention guidance that we have adopted: [Information and Records Management Society's Toolkit for Schools, module 1](#)

Who we share this information with

We routinely share this information with:

- Local Authority
- DfE
- Suppliers and service providers: to enable them to provide the service we have contracted them for, i.e. payroll; Occupational Health
- Ofsted: in order for them to carry out their role as a regulatory body
- Auditors
- Professional advisers and consultants
- Police forces, courts, tribunals: to protect welfare

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.

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

The 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 DfE for the purpose of those data collections. All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005.

We are required to share information about our school employees with the DfE under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

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

For more information, please see 'How Government uses your data' section.

Requesting access to your personal data

Under data protection legislation you have the right to make a *Subject Access Request* to gain access to personal information about you that we hold. Please refer to Section 9 of our Data Protection Policy for details of how to make a Subject Access Request.

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 ICO at <https://ico.org.uk/concerns/>

Withdrawal of consent and the right to lodge a complaint

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

We take any complaints about our collection and use of personal information very seriously.

Contact

If you would like to discuss anything in this Privacy Notice, please contact the Headteacher

This notice is based on the DfE's model privacy notice for workforce September 2020, amended to reflect the way we use data in this school.

How Government uses your data

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

- informs departmental 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

Data collection requirements

To find out more about the data collection requirements placed on us by the DfE including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Sharing by the Department

The Department may share information about school employees with third parties who promote education or wellbeing of children or the effective deployment of school staff in England by:

- conducting research or analysis
- providing 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.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's 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 DfE: <https://www.gov.uk/contact-dfe>



Marsh Baldon CE Primary School

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Privacy Notice

How we use Governor information

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 individuals in governance roles. Marsh Baldon CE Primary School is the Data Controller for the use of personal data in this Privacy Notice.

The categories of governance information that we collect, process, hold and share (when appropriate) include:

- Personal identifiers, contacts and characteristics (such as name, date of birth, contact details and postcode)
- Governance details (such as role, start and end dates and Governor ID)
- Business interests
- Attendance (such as meetings and training)
- Photographs

Why we collect and use this information

The personal data collected is essential in order for the school to fulfill their official functions and meet legal requirements. We use governance data to:

- meet the statutory duties placed on us
- comply with *Department for Education* (DfE) Governance Handbook
- fulfill our obligations under Safer Recruitment

Under the *General Data Protection Regulation* (GDPR), the most common lawful bases we rely on for processing personal information are:

Legal Obligation: processing is necessary to comply with the law, for example, we have a responsibility to provide data to the DfE and local authority.

All maintained school governing bodies, under [section 538 of the Education Act 1996](#) have a legal duty to provide the governance information as detailed above.

Less commonly, we may also process personal data in situations where:

Public Task: processing is necessary to perform an official task in the public interest; for example, for us to safely and effectively run the school.

In addition, concerning any special category (highly sensitive) data:

Processing is necessary for reasons of substantial **Public Interest** (condition of GDPR Article 9)

Some of the reasons listed above for collecting and using personal data overlap, and there may be several grounds which justify our use of this data.

Where we have obtained consent to use 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.

The law does not prevent information being shared with specific authorities if it is for the purposes of safeguarding.

Collecting governance information

We collect personal information via Application Forms; Right to Work information; Identification documents, training records..

Governance data is essential for the school'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 this information

We hold governance data securely during their term of office. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. We have adopted the [Information and Records Management Society's Toolkit for Schools, module 1](#) that sets out how long we keep information about governors.

Who we share this information with

We routinely share this information with:

- school website
- Local Authority
- DfE via *Get Information About Schools* (GIAS)
- Ofsted: in order for them to carry out their role as a regulatory body
- Professional advisers and consultants

Why we share governance information

We do not share information about individuals in governance roles with anyone without consent unless the law and our policies allow us to do so.

The DfE collects personal data from educational settings and local authorities. We are required to share information about individuals in governance roles with the DfE under [section 538 of the Education Act 1996](#).

All data is entered manually on the GIAS system and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

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We take any complaints about our collection and use of personal information very seriously.

Contact

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This notice is based on the DfE's model privacy notice for individuals in governance roles September 2020, amended to reflect the way we use data in this school.

How Government uses your data

The governance data that we lawfully share with the DfE via GIAS:

- will increase the transparency of governance arrangements
- will enable maintained schools and the department to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context
- allows the department to be able to uniquely identify an individual and in a small number of cases conduct checks to confirm their suitability for this important and influential role

Data collection requirements

To find out more about the requirements placed on us by the DfE including the data that we share with them, go to <https://www.gov.uk/government/news/national-database-of-governors>.

Note: Some of these personal data items are not publically available and are encrypted within the GIAS system. Access is restricted to a small number of DfE staff who need to see it in order to fulfil their official duties. The information is for internal purposes only and not shared beyond the department, unless the law allows it.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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
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