



# *Tarleton Holy Trinity Church of England (Aided) Primary School*

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*[www.tarletonholytrinity.org](http://www.tarletonholytrinity.org)*

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## **GDPR Documents**

Introduction to GDPR  
Privacy Notice for Pupils  
Privacy Notice for Workforce  
GDPR Action Plan

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**Policy**

*Tarleton Holy Trinity  
Church of England (Aided) Primary School*



**GDPR Documents**  
**September 2019**

***Our Vision Statement***

*Value... Dream... Achieve...*

*As a loving Christian family, our aspiration is for all pupils to flourish,  
safe in the belief that we, "...can do all things through Christ, who  
strengthens us" Phil 4:13.*

*Everyone is valued, we all achieve and our dreams for the future begin.*

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## ***Introduction - Protecting Your Data - General Data Protection Regulations***

### ***GDPR-Data Protection***

The GDPR will apply in all EU member states from 25th May 2018. This will affect how schools manage personal data and how this is protected and shared.

The EU's General Data Protection Regulation (GDPR) is the result of four years of work by the EU to bring data protection legislation into line with new, previously unforeseen ways that data is now used.

Currently, the UK relies on the Data Protection Act 1998, which was enacted following the 1995 EU Data Protection Directive, but this will be superseded by the new legislation. It introduces tougher fines for non-compliance and breaches, and gives people more say over what companies can do with their data. It also makes data protection rules more or less identical throughout the EU.

Schools are required to comply with GDPR so we have been working on our readiness this academic year. We have:

- Been on training courses
- Made staff and governors aware of the implications
- Developed a compliance team consisting of HT, Bursar and Governors
- Begun reviewing all of our data and documents and updating them

We already have strong data protection policies and procedures in place but these need to be updated in line with GDPR. We will now have to produce documentation to prove our compliance but we are working closely with the local authority to make sure that GDPR is in place in our school. We value and protect all of our student, parent and staff data and will continue with GDPR. As a parent/carer you may receive some letters from us regarding GDPR. Some of those may be about consent and some about updating your information with us. Please do read and send back everything you receive.

In the coming weeks we will be updating Privacy Notices, policies and Consent Forms to make sure we are compliant with the new GDPR.

To find out more about the change in regulation click [here](#)

Our GDPR preparation will ensure that we are working within the 7 Data Protection Principles:

# GDPR Principles

## The Seven Data Protection Principles



Information video for parents from the ICO website can be found by clicking [here](#)

Infographic for parents can be found by clicking [here](#)

Information Commissioner Website can be found by clicking [here](#)

Terminology *used*:

**“data controller”** means a person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be processed

**“data processor”**, in relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

**“processing”**, in relation to information or data means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including—

- a) organisation, adaptation or alteration of the information or data,
- b) retrieval, consultation or use of the information or data,
- c) disclosure of the information or data by transmission, dissemination or otherwise making available, or erasure or destruction of the information or data

For Guidance as to how long documents etc. should be kept for, click [here](#).

# ***Privacy Notice 1 (How we use pupil information)***

## ***The categories of pupil information that we collect, hold and share include:***

- Personal information (such as name, unique pupil number and address, emergency contact details)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Medical conditions and GP details
- Dietary needs
- Special Educational Needs and Disability
- Behaviour and exclusions
- Child Protection referrals and conference reports

## ***Why we collect and use this information***

We use the pupil data:

- for pupil admissions
- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral and/or medical care
- to assess the quality of our services
- to update parents of school events and important matters
- to ensure financial accountability
- to comply with the law regarding data sharing
- to safeguard pupils

## ***The lawful basis on which we use this information***

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:

(c) Processing is necessary for compliance with a legal obligation to which the controller is subject;

Article 9

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

2. Paragraph 1 shall not apply if one of the following applies:

(j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the

right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy (shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 - Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

### ***Collecting pupil information***

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 General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

### ***Storing pupil data***

We hold pupil data for varying lengths of time as determined in our Information Management Toolkit, copies of which are available on request from the school office.

### ***Who we share pupil information with***

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- the school's catering department
- the Department for Education (DfE)
- NHS/school nurse
- Virgin Care
- Children's Social Care and Early Intervention Services
- West Lancashire Sports Partnership
- TARDiS
- Parentpay
- Parentapps
- Lancashire Tracker (Assessment tracking)
- Nessy Dyslexia programme
- Purplemash
- IDL
- 2Simple
- Cool milk
- Myfoto
- InVentry (signing in system)
- Cool Kids Zone (before and after school club)
- Times Table Rock Stars
- CPoms

### ***Why we 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.

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) and the Department for Education (DfE) under section 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 NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our 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.

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>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

## ***Requesting access to your personal data***

Under data protection legislation, 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 Headteacher at school (01772 812662 or [head@holyltrinity-tarleton.lancs.sch.uk](mailto:head@holyltrinity-tarleton.lancs.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
- claim compensation for damages caused by a breach of the Data Protection regulations

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. 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 the Tarleton Holy Trinity CE Primary Data Protection Officer.

## ***Privacy Notice 2 (How we use school workforce information)***

### ***The categories of school workforce information that we collect, process, hold and share include:***

- personal information (such as name, address, contact details, employee or teacher number, national insurance number, bank details, next of kin emergency contacts)
- special categories of data including characteristics information such as gender, age, ethnic group
- certain relevant medical information (for example diabetes, epilepsy, asthma, heart conditions etc)
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- DBS information
- Appraisal information including monitoring of teaching and learning
- Complaints and Disciplinary information

### ***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
- ensure staff and pupils are safe
- inform on learning and progress

### ***The lawful basis on which we process this information***

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

Article 6

2. Processing shall be lawful only if and to the extent that at least one of the following applies:

(c) Processing is necessary for compliance with a legal obligation to which the controller is subject;

Article 9

2. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

3. Paragraph 1 shall not apply if one of the following applies:

(j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Education Act 2005 sections 113 and 114 - is a statutory requirement on schools and local authorities for the submission of the school workforce census return, including a set of individual staff records,

## **Collecting this information**

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

## **Storing this information**

We hold school workforce data for 6 years after the individual leaves employment. Other data is held in accordance with the school's Information Management Toolkit retention Schedule. This is available on request from the school office.

## **Who we share this information with**

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- Parentpay
- Parent
- Governors
- Ofsted
- the school's catering department
- NHS/school nurse
- Virgin Care
- SAS Staff Absence Insurance
- West Lancashire Sports Partnership
- TARDiS
- Parentapps
- Purplemash
- Myfoto
- InVentry (signing in system)

## **Why we share school workforce information**

We do not share information about 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)**

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

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

### ***Data collection requirements***

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). 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

To find out more about the data collection requirements placed on us 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.

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>

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

### ***Requesting access to your personal data***

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the Headteacher.

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
- claim compensation for damages caused by a breach of the Data Protection regulations

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/>



## Tarleton Holy Trinity Church of England (Aided) Primary School



### GDPR Action Plan (2019)

Action Plan for: GDPR (General Data Protection Regulation)		Overall Target: To ensure that the school remains compliant in all areas of GDPR	
What does the subject provision look like now?		How do you know?	
<ul style="list-style-type: none"> <li>The school is currently compliant in data protection regulations</li> <li>The school recognises the need to review and develop data protection procedures in light of the new GDPR regulations which came into effect on 25/5/18</li> <li>Headteacher, Bursar and Office Administrator should attend training sessions on GDPR for schools as and when needed.</li> </ul>		<ul style="list-style-type: none"> <li>Review of current practice</li> <li>GDPR Training</li> <li>Discussions with other schools</li> </ul>	
What is your vision?		<ul style="list-style-type: none"> <li>The school is compliant in GDPR and the 7 data protection principles are in place</li> <li>All staff and Governors understand their responsibility in terms of data protection and there are no instances of data protection breaches</li> <li>A knowledgeable and effective DPO is in place</li> <li>Systems are in place to ensure on-going new initiatives are compliant with GDPR</li> </ul>	
Actions	Method of Delivery (Including Time Scale)	Lead	Success criteria
1. Review and revise a new privacy notice.	<ul style="list-style-type: none"> <li>Download DFE privacy notice and substitute for existing notices.</li> <li>Privacy notice on new Data protection page of website</li> </ul>	SBS/RF	100% stakeholders can access school privacy statement ensuring transparency
2. Gather information about the data you hold.	Complete matrix to gather information about the data that you hold that includes the following: <ul style="list-style-type: none"> <li>Why is personal data processed?</li> <li>Whose personal data is processed?</li> <li>What personal data is processed?</li> <li>When is personal data processed?</li> <li>Where is personal data processed?</li> </ul>	SBS/RF	100% of matrix completed and used to identify further actions
3. Adopt a retention schedule.	<ul style="list-style-type: none"> <li>Review retention schedule and consider use of LCC or Information Records Management</li> <li>Adopt a retention schedule</li> <li>Ensure retention schedule is applied</li> </ul>	SBS/RF	Retention Schedule is in place 100% Retention Schedule as a working document by relevant staff
4. Raise awareness with staff & governors about the dangers of inappropriate data sharing.	<ul style="list-style-type: none"> <li>SLT have reviewed data leaks to the organisation and have identified potential risks (i.e. proof of identity; caution over the phone; if in doubt asking someone who knows)</li> <li>SLT have identified any changes in practice required and have considered different options, recording changes, reasons why and next steps, including communicating with staff</li> <li>Discussions with Governors at Full Governing Body Termly meeting to raise awareness</li> <li>Discussions with teaching and non-teaching staff to raise awareness</li> </ul>	SBS	100% of data protection risks identified and actions in terms of changes in practice considered and actioned 100% staff and governors aware of GDPR and dangers of inappropriate data sharing 100% staff and governors aware of changes in school practices in terms of data protection
5. Check contracts for third party processors.	<ul style="list-style-type: none"> <li>A list of third party data processors has been created</li> <li>For each data processor on the list, it has been checked whether an SLA or contract is in place</li> </ul>	SBS/RF	100% of third party processors identified 100% third party process have contract/SLA in place with the school

	<ul style="list-style-type: none"> <li>- Where a contract is not in place, either a contract is set up or working with that service is terminated</li> </ul> <p><i>Examples of third party data processors include: IT Supplier; Confidential Waste; Software Supplier; Hardware Supplier</i></p>		
6. Create a data protection policy or handbook.	<ul style="list-style-type: none"> <li>- Research appropriate information to be included in a school data protection policy</li> <li>- Write policy and share</li> <li>- Start to work from policy</li> <li>- Policy approved by Governors at Resources Committee Meeting</li> </ul>	SBS/RF	<p>Policy completed and is fully GDPR compliant</p> <p>100% Staff/Governors have received the Data Protection Policy</p> <p>100% Staff/Governors adhere to Data Protection Policy</p> <p>Governors have approved Data Protection Policy</p>
7. Appoint Data Protection Officer (DPO)	<ul style="list-style-type: none"> <li>- Consider who would be best placed to be the DPO through having conversations with cluster schools/SLT/Governors</li> <li>- Using the information available make a decision on who the DPO is</li> <li>- DPO in place</li> <li>- DPO has had relevant training to be successful in the role as they will need to understand the rules of data protection</li> </ul>	SBS	<p>100% options considered on who is best placed to be DPO</p> <p>Decision on DPO made and communicated</p> <p>100% understanding of their role (DPO)</p> <p>DPO is fully involved in GDPR compliance</p>
8. Ensure new projects and initiatives are compliant with GDPR	<ul style="list-style-type: none"> <li>- Download 'Conducting a Privacy Impact Assessment Code of Practice'</li> <li>- Ensure it is understood and adapt the model templates for use in school</li> <li>- Ensure paper work for a Privacy Impact Assessment (PIA) is in place</li> <li>- PIA is used to identify potential data protection risks when considering new projects and initiatives for the school</li> </ul>	SBS/RF	<p>100% templates for a PIA for the school is in place</p> <p>Systems for consideration of further data protection in place</p>
9. Data Protection page on school website informs all stakeholders of how the school holds and processors data.	<ul style="list-style-type: none"> <li>- School website has full information on the 7 Data Protection Principles</li> <li>- Information is easy to find and easy to understand</li> <li>- A link to the Data Protection Policy is contained on the page</li> <li>- Data Protection page is updated to reflect the most up-to-date information</li> </ul>	SBS	<p>Data Protection page on school website conveys 7 Principles of Data protection</p> <p>100% of stakeholders can access up-to-date information on GDPR/data protection</p>

**Next Steps:**

*Tarleton Holy Trinity  
Church of England (Aided) Primary School*



## **Document reviews**

We are aware of the need to review our school's documents regularly so that we can take account of: new initiatives, changes in the curriculum, developments in technology etc.

This document was reviewed in September 2022 and will be reviewed again in September 2023.

Signed by:

Member of staff responsible for this policy

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Governor responsible for this policy

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