

Dear Parent/Carer,

RE: General Data Protection Regulation (GDPR)

The General Data Protection Regulation (GDPR) is a piece of EU-wide legislation which will determine how people's personal data is processed and kept safe, and the legal rights individuals have in relation to their own data. In the UK it will be enacted as the Data Protection Act 2018 and will be enforced from 25th May 2018.

The legislation will apply even after the UK leaves the EU.

'Personal data' means information that can identify a living individual.

Main principles

The GDPR sets out the **key principles** that all personal data must be processed in line with.

Data must be:

- processed lawfully, fairly and transparently
- collected for specific, explicit and legitimate purposes
- limited to what is necessary for the purposes for which it is processed
- accurate and kept up to date
- held securely
- only retained for as long as is necessary for the reasons it was collected

There are also **stronger rights for individuals** regarding their own data.

The individual's rights include:

- be informed about how their data is used
- have access to their data
- to rectify incorrect information
- have their data erased
- restrict how their data is used
- move their data from one organisation to another
- object to their data being used at all

New requirements

The new legislation is very similar to the existing Data Protection Act 1998, which schools already comply with, but strengthens many of the DPA's principles. The main changes are:

- Schools must appoint a data protection officer, who will advise on compliance with the GDPR and other relevant data protection law
- Privacy notices must be in clear and plain language and include some extra information – the school's 'legal basis' for processing, the individual's rights in relation to their own data

- Schools will only have a month to comply with subject access requests, and in most cases can't charge
- Where the school needs an individual's consent to process data, this consent must be freely given, specific, informed and unambiguous
- There are new, special protections for children's data
- The Information Commissioner's Office must be notified within 72 hours of a data breach
- Organisations will have to demonstrate how they comply with the new law
- Schools will need to carry out a data protection impact assessment when considering using data in new ways, or implementing new technology to monitor pupils
- Higher fines for data breaches – up to 20 million euros

The school is currently processing all these guidelines in time for the 25th May 2018 due date.

We have appointed a Data Protection Officer (DPO) Helen Gannon however; your first point of contact should always be Yeading@yeadinginf.co.uk .

We will also invite an external auditor to ensure that the school is fully compliant.

Attached to this letter you will find a copy of our new Privacy Notice. Please ensure you read this carefully, there is also a copy on our school website.

If you have any questions or concerns, please do not hesitate to contact the school admin officer.

Yours sincerely,

Mrs R.K Ahluwalia
Headteacher

Yeading Infant & Nursery School

Privacy Notice

How we use pupil information

We collect and hold personal information relating to our pupils when they are admitted to our school. We may also receive information from previous schools, local authorities and/or the Department for Education (DfE). Our Data Protection Officer is Helen Gannon. Contact via admin@ebm.services.co.uk.

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

- Personal information (such as name, unique pupil number and address, data relating to those with parental responsibility)
- 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
- Relevant medical information
- Special educational needs information
- Exclusions/behavioural information

Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

The lawful basis on which we use this information

We are legally obliged by the DfE to collect data about your child. Where we collect special categories of data, such as ethnicity and religion, this is required for data collection purposes under the Education Act 1996. Please see section on National Pupil Collection Database at the end of this document.

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 Data Protection legislation, 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 as long as is necessary to provide our services. Some data we are required by legislation to hold for a period extending beyond the time your child attends the school. If you would like further information on retention guidelines please speak to **the School Admin. Officer** or refer to **IRMS Toolkit for Schools, which details all statutory guidelines. It can be found at <http://irms.org.uk/page/SchoolsToolkit>**

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 Department for Education (DfE)
- the School Nurse/NHS
- Yeading Children's Centre

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 School Admin. Officer**.

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 **with the School Admin. Officer**. 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 School Admin. Officer at Yeading Infant & Nursery School