



PRIVACY NOTICE FOR PARENTS / CARERS OF PUPILS ATTENDING BERNARDS HEATH INFANT AND NURSERY SCHOOL

Bernards Heath Infant and Nursery School is a “data controller” for the purposes of data protection law as it collects data and information about our pupils and their families so that we can run effectively as a school. This privacy notice explains how we collect, store and use personal data about parents and carers of pupils. For details about the how we collect, store and use personal data about pupils, please refer to the Privacy Notice for Pupils.

The personal data that we hold

Personal data that we may collect, use, store and share (where appropriate) about parents and carers of pupils includes, but is not limited to:

- Personal information (such as name, address, telephone number and email address);
- Information relating to identity, marital status, employment status, religion, ethnicity, language, medical conditions, nationality, country of birth and free school meal / pupil premium eligibility / entitlement to certain benefits; information about court orders in place affecting parenting arrangements for pupils.
- From time to time and in certain circumstances, we might also process personal data about parents / carers, some of which might be sensitive personal data (referred to as ‘special category’ personal data in the GDPR) such as information about criminal proceedings / convictions or information about child protection / safeguarding. This information is not routinely collected about parents / carers and is only likely to be processed by the school in specific circumstances relating to particular pupils, for example, if a child protection issue arises or if a parent / carer is involved in a criminal matter. Where appropriate such information may be shared with external may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

We collect information about parents / carers before pupils join the school and update it during pupils’ time on the roll as and when new information is acquired.

Why we collect and use this personal data

We use the parent / carer data to support our functions of running a school, in particular:

- to decide who to admit to the school;
- to maintain a waiting list;
- 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;
- for the protection and welfare of pupils and others in the school, including our safeguarding / child protection obligations;
- for the safe and orderly running of the school;
- to promote the school;
- to send communications that may be of interest to parents / carers which may include information about school events or activities, news, campaigns, appeals, other fundraising activities;
- in order to respond to investigations from our regulators or to respond to complaints raised by our stakeholders;
- in connection with any legal proceedings threatened or commenced against the school

Our legal basis for using this data

We collect and use parent / carers information under the following lawful bases under the General Data Protection Regulation (“GDPR”) / Data Protection Act 2018:

- where it is necessary for compliance with a legal obligation
- where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- where we have the consent of the data subject
- where processing is necessary to protect the vital interests of the data subject or another person

Where the personal data we collect about parents or carers is “special category” personal data (as defined in Article 9(1) GDPR) which would most commonly relate to data concerning health; racial or ethnic origin; and/or religious or philosophical beliefs, we will only process it where there is a lawful basis for doing so. These include the following:

- where we have explicit consent;
- where processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and / or

- where processing is necessary for reasons of substantial public interest, on the basis of 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.

Collecting parent / carer information

Whilst the majority of information about parents / carers provided to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the GDPR, we will inform parents / carers whether they are required to provide certain parent / carer information to us or if they have a choice in this. Where appropriate, we will ask parents / carers for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to use their information for marketing purposes or to request voluntary contributions. Parents / carers may withdraw consent at any time.

Storing parent / carer data

We hold personal data about parents / carers while have pupils that are attending Bernards Heath Infant and Nursery School. We may keep it for longer than this period if this is necessary for us to comply with our legal obligations.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of the personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. In some circumstances we may anonymise parent / carer personal information so that it can no longer be associated with the parent / carer, in which case we may use such information without further notice to them. Once an individual is no longer a parent / carer we will retain and securely destroy r personal information in accordance with applicable laws and regulations.

A significant amount of personal data is stored electronically, for example, on our SMIS database. Some information is also be stored in hard copy format.

Some data stored electronically is saved on a cloud based system that we have steps to ensure is GDPR compliant; where the personal data is sensitive we will also take steps to password protect it.

Who we share parent / carer information with

We routinely share parent / carer information with schools that pupils attend after leaving us.

From time to time, we may also share parent / carer information with other third parties including the following

- our local authority Hertfordshire County Council
- a pupil's home local authority (if different);

- the Department for Education (DfE);
- the school DPO;
- school governors / trustees;
- the Police and law enforcement agencies;
- NHS health professionals including the school nurse, educational psychologists,
- Education Welfare Officers;
- Courts, if ordered to do so;
- the Teaching Regulation Authority;
- Prevent teams in accordance with the Prevent Duty on schools;
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances;
- our legal advisors;
- our insurance providers / the Risk Protection Arrangement;

Some of the organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.

In the event that we share personal data about parents / carers with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

Right to Withdraw Consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the school office in writing. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

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 ("Subject Access Request"). Where a child does not have the maturity to make their own requests for personal data, parents may do so on their behalf in a primary school setting. To make a request for your child's personal data, or be given access to your child's educational record, contact the Data Protection Officer whose details are at the end of this Privacy Notice.

Subject to the section below, the legal timescales for the School to respond to a Subject Access Request is one calendar month. As the School has limited staff resources outside of term time, we encourage Subject Access Requests to be submitted during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible.

You will not have to pay a fee for a Subject Access Request. However, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Parents of pupils who attend a maintained school have a separate statutory right to access their child's educational record. Upon receipt of a written request for a pupil's educational record, the School will respond to it within 15 school days. This is an independent legal right of parents which falls outside of the GDPR, therefore a pupil's consent is not required even if a pupil is able to make their own decisions in relation to their personal data unless a court order is in place which states otherwise.

The term "parent" is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the pupil, with whom the pupil lives or whether the pupil has contact with that parent), and also includes non-parents who have parental responsibility for the pupil, or with whom the pupil lives. It is therefore possible for a pupil to have several "parents" for the purposes of education law.

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 responsibilities.

If you have a concern about the way we are collecting or using your personal data, we would encourage you to raise it with us in the first instance and we will seek to discuss the matter and to assist you. If you wished to contact the Information Commissioner's Office the relevant details are here: <https://ico.org.uk/concerns/>; Or call 0303 123 1113; Or write: ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Changes to this Privacy Notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal data.

Contact Details

If you would like to discuss anything in this privacy notice, please contact the school and/or the DPO.

Bernards Heath Infant and Nursery School contact details:

Head Teacher: Mrs Hannah Rimmer
Address: 154 Sandridge Road, St Albans, Herts AL1 4AP

Telephone Number: 01727 852 106

Email Address: admin@bernardsheath.herts.sch.uk

Website: bernardsheath.herts.sch.uk

DPO School contact details:

DPO: Patrick Aikman

DPO Email Address: Patrick@schoolposervice.com