

Dear Parent/Carer

As a school, Data Protection is something we take very seriously. In the UK, most of the rules on this subject are contained within the 1998 Data Protection Act.

However, since the Data Protection Act was passed, we have entered the 'digital era' where we have seen the launch of Google, Facebook, Twitter and many other applications which have changed and will continue to change the world of personal data.

So, on 25 May 2018, The General Data Protection Regulation (GDPR) will be enforced and this is legislation which both strengthens and unifies Data Protection for individuals. This will go a significant way to ensuring that personal data is not being accessed by or shared with people who should not be able to view it.

In summary, the purpose of this letter is as follows:

- **To inform you who our Data Controllers and Data Processors are**
- **To advise you of the sort of data we collect**
- **To notify you how we share your information**
- **To confirm the rights you have**
- **To let you know how you can obtain further information**

We want to ensure that you are familiar with the changing legislation, aware how we are seeking to comply with it and, most importantly to obtain your signed acknowledgement that you understand the imminent changes.

As you are aware, schools are required to hold data about all of their pupils. This is necessary so that we can meet our statutory obligations with the Local Authority, Department for Education and other key stakeholders. Most of this information is supplied by you and reviewed at least annually by you when we complete our annual Data Checking exercise. For the purposes of refreshing your memory, your child's latest Data Collection form is attached.

GDPR provides a very strict framework within which those who control and process data must operate. Breaches of this framework can result in very significant fines. Of equal importance is that it also gives rights to those for whom we hold data about how this is used, stored and shared.

There is certainly a lot of information to digest. Hopefully summarising the key aspects under relevant headings will make this easier.

GDPR outlines responsibilities for Data Controllers and Data Processors.

Who are these people in our school?

As an academy within the Transform Multi-Academy Trust (MAT), the Trust is the overall **Data Controller** of the personal data you provide to us. This means that they decide the purpose for which and the manner in which any personal data relating to pupils and their families is to be processed.

Jill Wilkinson is the Transform Trust Data Protection Officer. Her role is to oversee and monitor the school's Data Protection procedures and to ensure they are compliant with GDPR.

Jill can be contacted by telephone (0115 9829050) or e-mail dataprotection@transformtrust.co.uk

Within our school, (insert name) is our **Data Controller**. XX can also be contacted by telephone (insert telephone number) or email (insert email)

Data Processors are people or organisations that process the personal data on behalf of the controller. Examples in our school include our Management Information System provider, our school photographer and our cashless catering provider.

In any school, there are very few occasions where we would need to approach you for your consent to process (share) your data as most of what we do falls under the heading of 'public interest' as a school is a public body. Public interest essentially means that it is in the public interest to operate our school and educate our children. So, we use data for delivering our curriculum, contacting you in the event of an emergency and our termly census returns which inform school funding allocations.

What sort of data is collected?

The categories of pupil information that the school collects, holds and shares include:

- Personal information e.g. name, gender, date of birth, address
- Characteristics e.g. ethnicity, language, nationality, country of birth, entitlement to free school meals
- Attendance Information e.g. the number of absences and the reasons for them
- Assessment Information e.g. national curriculum assessment results (SATs, Phonics Screening) and ongoing teacher assessments
- Relevant medical information e.g. asthma, allergies and other confirmed medical conditions
- Special Educational Needs and Disability (SEND) information (where appropriate)
- Behavioural information e.g. exclusions
- Accident / Incident information e.g. where First Aid has been administered
- Equality information e.g. incidents of racism, bullying

Whilst the majority of the personal data you provide to school is mandatory, some is provided on a voluntary basis. When we are collecting data we will inform you whether you are required to provide this data or whether your consent is needed. Where consent is required, the school will provide you with specific and explicit information with regard to the reasons the data is being collected and how it will be used. A recent example here relates to the Flu Vaccinations administered by the School Aged Immunisation Service.

How long is your data stored for?

GDPR states that schools should not store personal data indefinitely and that unless there is a legitimate reason to keep it e.g. a legal requirement, it should only be stored for as long as it is necessary to complete the task for which it was originally intended. Once it is no longer needed it will be securely erased.

Will my information be shared?

All schools are required to share pupils' data with the Department for Education. The best examples of this are our termly census returns where we provide detailed information about our school, its staff and pupils so that a national picture can be obtained of all schools across the country. Similarly we share information with the Local Authority and the School Health Team (part of the National Health Service).

Examples here include applications for free school meals and information about children who are new to school so that they do not become 'lost' in the healthcare system.

The Department for Education manages the National Pupil Database (NPD) and this contains information about pupils in school in England. We are required by law to provide information about our pupils and some of this is then stored on the NPD. In an endeavour to promote the education or well being of children, they may share this information with third parties to:

- Conduct research or analysis
- Produce statistics
- Provide information, advice or guidance

It is important to stress at this point that the Department for Education has robust processes in place to ensure confidentiality of any data shared from the NPD is maintained.

We will not share your personal information with any third parties without your consent, unless the law requires us to do so. The school routinely shares pupils' information with:

- Destination schools when pupils leave us.
- The Local Authority
- The Department for Education
- Transform Trust
- Our school photographer
- Our school communications provider (parent text messaging / e-mail service)
- The National Health Service

The information we share with these parties includes:

- Pupil record files containing annual reports and attendance registration certificates
- Electronic data including personal information, SEND information, assessment and attendance information
- Mobile phone numbers and e-mail addresses of parents, carers and other named contacts

What are your rights?

Parents and pupils have the following rights under GDPR:

- The right to be informed – this means that we must tell you that we are using your data, why and for what purpose.
- The right of access – this means that you are allowed to request to see the data in relation to you that we are processing.
- The right of rectification – this means that if your data is incorrect, we have to correct it.
- The right to erasure – you can request that we erase all data relating to you that we hold. This applies only when the personal data supplied is no longer necessary for the purpose for which it was collected. So, in essence this means that we cannot erase information relating to a pupil who is still attending our school.
- The right to restrict processing – you can request that we stop using your data unless we have a legitimate legal basis for continuing to do so.

- The right to data portability. This means that you can obtain and re-use your personal data for your own purposes across different services,
- The right to object – this means that you can request us to stop using your data unless we have an overriding legitimate reason to continue.
- Rights in relation to automated decision making or profiling – this means that you can request that automated decisions made about you are made by a human.

Are you concerned or would you like more information?

If you have a concern about the way our school and/or the Department for Education is collecting or using your personal data you can raise a concern with the Information Commissioner's Office (ICO). This can be done by telephone 0303 123 1113 Monday – Friday 9am – 5pm or e-mail registration@ico.org.uk

If you have any questions or concerns that you feel we should address, please do email them to school and we will develop a Frequently Asked Questions sheet. We will obviously share this with you.

If you are satisfied that the information we have shared adequately demonstrates that our procedures and processes are robust and in line with your expectations under the new legislation, please sign and return the declaration overleaf.

Yours sincerely

Headteacher