



## Privacy Notice for Children and Parents How We Use Your Information

### Introduction

Under the General Data Protection Regulations (GDPR) which was implemented on 25 May 2018, Balham Nursery School & Children's Centre (BNSCC) is required to inform parents about the personal data which is held about you or your child, the purposes for which it is held and how we use it.

This notice is to help parents understand **how** and **why** BNSCC collects you and your child's personal information and **what** we do with that information. It also explains the decisions that you can make about you and your child's information.

We are giving you this notice because you are able to exercise your child's data protection rights on their behalf. When your child is older (usually when they reach the age of 13) they will be considered mature enough to exercise their own data protection rights.

If you have any questions about this notice please talk to the Emma Williams, Executive Headteacher or Bryanna Patterson, School Business Manager.

BNSCC collects, uses and is responsible for certain personal information about you and your child. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal information for the purposes of those laws. Our Data Protection Officer is Gary Hipple who is based at Wandsworth Council, Head of Schools ICT. Gary can be contacted at [gary.hipple@richmondandwandsworth.gov.uk](mailto:gary.hipple@richmondandwandsworth.gov.uk).

### What is "personal information"?

Personal information is information that BNSCC holds about you and your child and which identifies you and your child.

In the course of providing education we collect the following personal information when you provide it to us:

- Personal information (such as name, unique pupil number, contact details, language, nationality, country of birth and free school meal eligibility)
- Special category characteristics
  - Ethnicity
  - Special educational needs and/or disability (SEND) information
  - Relevant medical information
- Attendance information (such as sessions attended, number of absences and absence reasons)

We also obtain personal information from other sources as follows:

- Personal information, special category information and SEND information from settings that your child previously attended
- Service support and involvement information from Primary Care Trusts, Local Authorities and teams working to improve outcomes for children and young people (such as SEND, Early Help, Free School Meals, Early Education and Childcare, Children's Social Care, Pupil Services/Admissions)

This includes information such as their date of birth and address as well contact details for parents/carers and medical details. BNSCC may also record your child's religion and/or ethnic group. Photos and video recordings of your child are also personal information.

### **How and why does BNSCC collect and use personal information?**

Our primary reason for using your child's information is to provide your child with an education. We set out below examples of the different ways in which we use personal information:

- To support children's learning
- To monitor and report on pupil progress
- To moderate teacher assessment judgements
- To provide appropriate care and support services
- To assess the quality of and improve the education and other services we provide
- To comply with the law regarding data sharing
- To support or improve educational provision
- To ensure no children are missing education
- To support the primary and in-year admissions process
- Improve the education and services we provide

The admissions application form which you complete, either online or on paper, give us personal information about you and your child.

Sometimes we get information from your child's doctor and other professionals where we need this to look after your child.

We collect this information to help BNSCC run properly, safely and to let others know what we do in the nursery. Here are some examples:

- We need to tell all appropriate members of staff if your child is allergic to something or might need extra help with some tasks.
- We may need to share information about your child's health and wellbeing with appropriate members of staff and external professionals involved in the care of your child.
- We may need to report some of your child's information to the government. For example, we may need to tell Wandsworth Borough Council or another local authority that your child attends BNSCC or let them know if we have any concerns about your child's welfare.
- We may need information about any court orders or criminal petitions which relate to your child. This is so that we can safeguard your child's welfare and wellbeing as well as the other children attending BNSCC.
- Depending on where your child will go when they leave us, we may need to provide their information to other schools. We may be required to pass on information, which they will need to look after your child appropriately.
- We may need to share information with the police or our legal advisers if something goes wrong or to help with an inquiry. For example, if one of your child's peers is injured at BNSCC or if there is a burglary.
- Occasionally we may use consultants, experts and other advisors to assist BNSCC fulfil its obligations and to help run our provision/services properly. We might need to share your child's information with them if this is relevant to their work.
- We may share some information with our insurance company to make sure that we have the insurance cover that we need.

- We will only share your child's information with other people and organisations when we have a good reason to do so. In exceptional circumstances, we may need to share it more widely than we would normally.
- We will monitor your child's use of the internet and mobile electronic devices e.g. iPads. This is to check that your child is not accidentally putting themselves at risk of harm. If you would like more information about this you can speak to the Executive Headteacher or Deputy Headteacher.
- We may use photographs or videos of your child for our website and social media sites or brochures and other marketing materials to show prospective parents what we do and to advertise BNSSC. We may continue to use these photographs and videos after your child leaves us. We will seek your consent before use of any photograph or video recording.
- Sometimes we use photographs and videos for teaching/training purposes and sharing good practice, for example, to demonstrate a particular activity or focus. Again, we will seek your consent before use.
- We may publish other relevant news on the website or via social media and put articles and photographs in the local press to tell people about what we have been doing, after we have sought your consent.
- We sometimes use contractors to handle personal information on our behalf. The following are examples:
  - IT consultants who might access information about your child when checking the security of or backing up our IT network; and
  - the London Grid for Learning) to ensure internet/online security and provide learning resources.

If you have any concerns about the above, please speak to the Executive Headteacher or Deputy Headteacher.

### **Who do we share your and your child's information with?**

We routinely share information with:

- The Department for Education. We share children's data with the Department for Education on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.
- Wandsworth Local Authority. We are required to share information about our children with our local authority under section 3 of The Education (Information about Individual Pupils) (England) Regulations 2013.
- Schools that the children attend after leaving us
- Wandsworth Local Authority and other Government departments with regards to the additional 15 hours (i.e. 30 hours initiative) funding eligibility for our 3-4 year old children.
- Wandsworth Local Authority with regards to our 2 year olds who are eligible for an Early Education place.
- Wandsworth Local Authority, other schools and professionals involved with children with Special Education Needs and/or Disabilities.
- Information Management Systems (SIMS.net and EHITS)
- Providers of external services (such as music therapists via Nordoff Robins, speech and language therapists, H Tempest our school photographers, Edwards & Ward our catering provider, Love Yogi who provide our yoga teachers, Insight Tracking our data tracking system provider, health professionals – this list is not exhaustive).

## **Legal grounds for using your information**

This section contains information about the legal basis that we are relying on when handling your child's information.

### *Public interests*

This means that the processing of your child's data is necessary for public interests. BNSCC relies on public interests for most of the ways in which it uses your child's information.

Specifically, BNSCC has a public interest in:

- Providing your child with an education.
- Safeguarding and promoting your child's welfare and the welfare of other children.
- Promoting the objectives and interests of BNSCC.
- Facilitating the efficient operation of BNSCC.
- Ensuring that all relevant legal obligations of BNSCC are complied with.

If you object to us using your child's information where we are relying on our public interests as explained above please speak to Emma Williams, Executive Headteacher.

### *Legal obligation*

Where BNSCC needs to use your child's information in order to comply with a legal obligation, for example to report a concern about your child's wellbeing to Children's Services, we may also have to disclose your child's information to third parties such as the courts, the local authority or the police where legally obliged to do so.

### *Legitimate interest*

Personal data may be processed on the basis that BNSCC has a legitimate interest in processing that data, provided that such legitimate interest is not overridden by the rights or freedoms of you or the child.

BNSCC must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, religious or philosophical beliefs, genetic information and health information.

### *Vital interests*

To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

### *Legal claims*

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.

### *Medical purposes*

This includes medical treatment and the management of healthcare services.

## **The National Pupil Database (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 DfE. 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.

The DfE 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 DfE 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.

### **Collecting Personal Information**

We may ask for your consent to use your child's information in certain ways. If we ask for your consent to use your child's personal information you can take back this consent at any time. Any use of your child's information before you withdraw your consent remains valid. Please speak to someone in the main office if you would like to withdraw any consent given.

### **For how long do we keep your child's information?**

We keep your child's information for as long as we need to in order to support, educate and look after them. We are required to keep certain information for a period of time after your child leaves us.

In exceptional circumstances, we may keep your child's information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

We follow the guidance on retention and disposal of records published by the IRMS in its Information Management Toolkit or Schools.

### **What decisions can you make about your child's information?**

Since May 2018 you have been able to make various decisions about you and your child's information. Some of these were new rights whilst others built on you and your child's existing rights. You and your child's rights are as follows:

- if information is incorrect you can ask us to correct it;
- you can also ask what information we hold about you and your child and be provided with a copy, free of charge. We will also give you extra information, such as why we use this information about you and your child, where it came from and what types of people we have sent it to;

- you can ask us to delete the information that we hold about you and your child in certain circumstances. For example, where we no longer need the information;
- you can ask us to send you, or another organisation, certain types of information about you or your child in a format that can be read by computer;
- our use of information about you and your child may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.

### **Keeping you and your child's personal information secure**

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to you and your child's personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

### **Further information and guidance**

This notice is to explain how we look after you and your child's personal information. The Executive Headteacher or School Business Manager can answer any questions which you might have.

**Please note that if you have previously told us that you do not wish for your child's information (e.g. photos) to be used for any marketing and/or training purposes, we will keep this on record and you will not need to tell us again.**

Please speak to the Executive Headteacher or Deputy Headteacher if:

- you now object to us using your child's information for marketing/training purposes; or
- you would like us to update the information we hold about you or your child; or
- you would prefer that certain information is kept confidential.

To find out more about the pupil information we share with the DfE, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

For more information about the DfE'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>

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority if you consider we have not acted properly when using your personal information. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone 03031 231113.