

# St Faith's Church of England Infant and Nursery School

West Parade, Lincoln, LN1 1QS

## Privacy Notice for Parents, Carers and Pupils

### Data Controller

St Faith's CofE Infant and Nursery School

### Data Protection Officer

Mrs Helen Tomlinson

Tel: 01522 888988 (via School Office)

Email: enquiries@st-faiths.lincs.sch.uk

### Document information

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Approved by: [Governing Body]

## 1. Introduction

Under data protection law — specifically the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 — individuals have the right to be informed about how organisations use their personal data. We fulfil this right by providing this privacy notice.

This notice explains how St Faith's Church of England Infant and Nursery School collects, uses, stores, shares, and disposes of personal data about:

- Pupils attending or applying to the school
- Parents and carers of pupils

Please read this notice carefully. If you have any questions, please contact our Data Protection Officer (DPO) using the details above.

## 2. The Personal Data We Hold

### 2.1 Pupil data

We collect, use, store and share personal data about pupils including, but not limited to:

- Contact details and contact preferences
- Date of birth and, where relevant, confirmation that proof of age has been seen (we do not retain copies of passports or birth certificates)
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health information
- Attendance information
- Safeguarding and child protection records
- Details of any support received, including care packages, plans and support providers
- Photographs and images

We may also hold data about pupils received from other organisations, including other schools, local authorities and the Department for Education (DfE).

## 2.2 Special category data

Some of the data listed above is classified as **special category data** under Article 9 of the UK GDPR. This includes health and medical information, racial or ethnic origin, special educational needs data, and safeguarding records. Special category data attracts a higher level of protection. Where we process such data, we do so under the conditions set out in Section 3 below.

## 2.3 Parent and carer data

We also hold personal data about parents and carers, including:

- Contact details (name, address, telephone numbers, email addresses)
- Contact preferences
- Financial information relating to school payments, trips, meals and pupil premium eligibility
- Parental responsibility information and any relevant court orders
- Communications between you and the school
- Photographs taken at school events (where applicable)

## 3. Our Legal Basis for Processing Personal Data

We only collect and use personal data when the law allows us to do so. The table below sets out the lawful basis we rely on for each category of processing activity.

| Processing purpose                                         | Lawful basis under UK GDPR                                                                  |
|------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <b>Pupil admissions and registration</b>                   | Legal obligation (Education Act 1996; School Admissions Code)                               |
| <b>Supporting pupil learning and reporting on progress</b> | Public task (statutory education function)                                                  |
| <b>Pastoral care and pupil welfare</b>                     | Public task; vital interests where the pupil's safety is at risk                            |
| <b>Safeguarding and child protection</b>                   | Legal obligation (Children Act 1989; KCSIE); substantial public interest (DPA 2018, Sch. 1) |
| <b>Special educational needs provision</b>                 | Legal obligation (Children and Families Act 2014); public task                              |
| <b>Medical and health data processing</b>                  | Substantial public interest (DPA 2018, Sch. 1); vital interests                             |
| <b>School Census and statutory DfE returns</b>             | Legal obligation (Education (Pupil Information) Regulations 2005)                           |
| <b>Exclusions administration</b>                           | Legal obligation (Education Act 2002)                                                       |
| <b>Attendance monitoring</b>                               | Legal obligation (Education Act 1996)                                                       |
| <b>Photographs for school use (newsletters, displays)</b>  | Legitimate interests; or consent where required                                             |
| <b>Parent/carers contact and communications</b>            | Public task; legitimate interests                                                           |

| Processing purpose                                                | Lawful basis under UK GDPR                                        |
|-------------------------------------------------------------------|-------------------------------------------------------------------|
| <b>Financial administration (trips, meals, pupil premium)</b>     | Legal obligation; contract; legitimate interests                  |
| <b>Equality monitoring</b>                                        | Legal obligation (Equality Act 2010); substantial public interest |
| <b>Class birthday and Christmas card lists (first names only)</b> | Consent — see Section 3.1 below                                   |

### 3.1 Where we rely on consent

Where consent is our lawful basis — for example, the sharing of first names for class card lists, or certain uses of photographs — we will make this clear at the time we collect the data and explain how consent can be withdrawn. You may withdraw consent at any time, without detriment, by contacting the school office. Withdrawal of consent will not affect any processing that has already taken place.

We do not rely on consent as our lawful basis for processing that is required to fulfil our statutory functions. Where another lawful basis applies, we do not seek consent.

### 3.2 Special category data — additional legal basis

In addition to a lawful basis under Article 6 UK GDPR, processing special category data also requires a condition under Article 9 UK GDPR. We rely on the following Schedule 1 conditions of the Data Protection Act 2018:

- Substantial public interest — safeguarding of children, equality of opportunity monitoring
- Employment and social security law obligations
- Health and social care purposes
- Vital interests — where necessary to protect life

## 4. How We Collect Personal Data

We collect personal data directly from parents, carers and pupils, and also from third parties including:

- Other schools (when pupils transfer to us)
- Local authorities
- The Department for Education
- Health authorities and medical professionals
- Social care services

Where we collect information from you, we will make clear at the time whether providing it is mandatory or optional and what the consequences are of not providing mandatory information.

## 5. How We Share Personal Data

We do not share personal data about pupils, parents or carers with any third party without a lawful basis to do so. Where sharing is lawfully required or permitted, we may share data with the following categories of recipient:

| Recipient                                               | Purpose and basis for sharing                                                                                       |
|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>Lincolnshire County Council (Local Authority)</b>    | Safeguarding, SEN, exclusions, statutory returns — legal obligation                                                 |
| <b>Department for Education (DfE)</b>                   | School Census and statutory data collections — legal obligation                                                     |
| <b>National Pupil Database (NPD)</b>                    | Education research and performance data — legal obligation via DfE                                                  |
| <b>Ofsted and other regulators</b>                      | Inspection purposes — legal obligation                                                                              |
| <b>Receiving schools on pupil transfer</b>              | Educational continuity — legal obligation / public task                                                             |
| <b>NHS and health authorities</b>                       | Pupil health and medical needs — legal obligation / vital interests                                                 |
| <b>Social care and health and welfare organisations</b> | Safeguarding and welfare — legal obligation                                                                         |
| <b>Police, courts and tribunals</b>                     | Safeguarding, legal proceedings — legal obligation                                                                  |
| <b>Examination bodies</b>                               | National assessments — legal obligation                                                                             |
| <b>School governors</b>                                 | Governance functions — public task                                                                                  |
| <b>Contracted service providers (data processors)</b>   | Delivery of contracted services (e.g. catering, MIS) — legitimate interests; governed by Data Processing Agreements |
| <b>Financial organisations and auditors</b>             | Financial audit and compliance — legal obligation                                                                   |
| <b>Professional advisers</b>                            | Legal and professional advice — legitimate interests                                                                |
| <b>Survey and research organisations</b>                | Education research — public task; where required, consent                                                           |

## 5.1 Data processors

Where we engage third parties to process personal data on our behalf (data processors), we ensure that a written Data Processing Agreement is in place that requires them to process data only on our instructions and to maintain appropriate security measures. Current processors include our Management Information System provider (ScholarPack/Arbor) and our contracted catering provider.

## 5.2 The National Pupil Database

We are required by law to provide certain information about pupils to the Department for Education as part of statutory data collections, including the School Census. Some of this information is stored in the National Pupil Database (NPD), which is managed by the DfE. The DfE may share NPD data with other organisations for purposes related to children's education or wellbeing, subject to strict terms and conditions. For further information, visit: [www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract](https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract)

## 5.3 International data transfers

Where we transfer personal data to a country or territory outside the United Kingdom, we will do so only in accordance with UK data protection law — either to a country that has received a UK adequacy decision, or under appropriate safeguards such as the International Data Transfer Agreement (IDTA) or standard contractual clauses. We will inform you if this applies to your data.

## 6. How Long We Keep Personal Data

We retain personal data only for as long as is necessary for the purpose for which it was collected, or as required by law. Retention periods are set out in our Data Retention Schedule, which follows the Records Management Code of Practice for Schools and the DfE's guidance. Key retention periods include:

| Category of data                                      | Retention period                                                                 |
|-------------------------------------------------------|----------------------------------------------------------------------------------|
| <b>Pupil educational records (general)</b>            | Until the pupil's 25th birthday                                                  |
| <b>Safeguarding and child protection records</b>      | Until the pupil's 25th birthday as a minimum; some records retained indefinitely |
| <b>Special educational needs (EHCP / statements)</b>  | Until the pupil's 35th birthday                                                  |
| <b>Accident and injury records (accident book)</b>    | Until the pupil's 21st birthday                                                  |
| <b>Admissions records (unsuccessful applications)</b> | 1 year after the admissions round                                                |
| <b>Financial records</b>                              | 7 years after the relevant financial year                                        |
| <b>Staff records (where applicable)</b>               | 7 years after employment ends                                                    |
| <b>CCTV footage (if applicable)</b>                   | Up to 31 days unless retained for investigation                                  |
| <b>Photographs (school events)</b>                    | As set out in individual consent forms                                           |

When data is no longer required, it is securely deleted or destroyed in accordance with our Secure Disposal Procedure. Paper records are shredded; electronic records are permanently deleted or overwritten. Please contact the DPO if you would like a copy of our full Data Retention Schedule.

## 7. How We Protect Personal Data

We take appropriate technical and organisational measures to protect personal data against accidental or unlawful destruction, loss, alteration, or unauthorised access or disclosure. These measures include:

- Password protection and access controls on all school IT systems
- Encrypted devices for staff working with personal data
- Role-based access — staff only access data necessary for their role
- Secure, locked storage for paper records
- Staff training on data protection responsibilities
- Data Processing Agreements with all third-party processors

In the event of a personal data breach that is likely to result in a risk to the rights and freedoms of individuals, we will notify the Information Commissioner's Office (ICO) within 72 hours of becoming aware of the breach. Where the breach is likely to result in a high risk to individuals, we will also notify you directly without undue delay.

## 8. Your Rights in Relation to Personal Data

Under UK data protection law, you have the following rights in relation to personal data the school holds about you or your child. To exercise any of these rights, please contact our DPO.

| Right                                                       | What it means                                                                                                                                                                     |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Right of access (Subject Access Request)</b>             | You can request a copy of the personal data we hold about you or your child. We will respond within one calendar month. There is no charge for a standard request.                |
| <b>Right to rectification</b>                               | You can ask us to correct inaccurate or incomplete personal data.                                                                                                                 |
| <b>Right to erasure ('right to be forgotten')</b>           | In certain circumstances, you can ask us to delete personal data we hold. This right does not apply where we are required by law to retain the data.                              |
| <b>Right to restriction of processing</b>                   | You can ask us to limit how we use personal data while a dispute is resolved.                                                                                                     |
| <b>Right to data portability</b>                            | Where processing is based on consent or contract, you can request that data be provided in a structured, machine-readable format.                                                 |
| <b>Right to object</b>                                      | You can object to processing based on legitimate interests or public task where you have grounds relating to your particular situation.                                           |
| <b>Right not to be subject to automated decision-making</b> | You have the right not to be subject to decisions made solely by automated means that have significant legal or similar effects on you.                                           |
| <b>Right to withdraw consent</b>                            | Where we rely on consent as our lawful basis, you may withdraw it at any time without detriment. This does not affect the lawfulness of processing carried out before withdrawal. |

## 8.1 Subject Access Requests — additional notes

Parents and carers may make a subject access request on behalf of their child where the child is not considered mature enough to understand their own rights (generally under 12 years of age), or where the child has consented to the parent acting on their behalf.

Parents and carers also have the right to request access to their child's educational record separately, under the Education (Pupil Information) (England) Regulations 2005. Please contact Mrs Helen Tomlinson via the school office to make such a request.

We will respond to all rights requests within one calendar month. This may be extended by a further two months for complex requests, with notice given to you. We may decline requests that are manifestly unfounded or excessive, and will explain our reasons in writing.

## 9. Complaints

If you have concerns about how we use your personal data, please contact us in the first instance. We will investigate your concerns and respond in accordance with our complaints procedure.

If you remain dissatisfied following our response, you have the right to lodge a complaint with the Information Commissioner's Office (ICO), the UK's independent data protection supervisory authority:

**How to contact the ICO**

Website: [ico.org.uk/make-a-complaint](https://ico.org.uk/make-a-complaint) Telephone: 0303 123 1113 Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## 10. Changes to This Privacy Notice

We review this privacy notice annually and following any significant changes to legislation, ICO guidance, or the way we use personal data. The current version and date are shown in the footer of this document. When we make material changes, we will notify parents and carers by letter or email and post the updated notice on the school website.

Yours sincerely

**Mrs A J Konrath** Headteacher, St Faith's Church of England Infant and Nursery School

Reviewed and approved by DPO: **Mrs Helen Tomlinson** | Date: May 2025

*This notice is based on the Department for Education's model privacy notice for schools, substantially revised to reflect St Faith's specific data processing activities and to comply with the requirements of the UK GDPR and Data Protection Act 2018 as currently in force. It supersedes all previous versions.*