

# EUROPEAN UNION GENERAL DATA PROTECTION REGULATION STATEMENT

This policy was approved by Governors on 15<sup>th</sup> May 2025 and will be reviewed annually.

## 1.0 INTRODUCTION

- 1.1 The GDPR ensures a balance between an individual's rights to privacy and the lawful processing of personal data undertaken by organisations in the course of their business. It aims to protect the rights of individuals about whom data is obtained, stored, processed or supplied and requires that organisations take appropriate security measures against unauthorised access, alteration, disclosure or destruction of personal data.
- 1.2 The School will aim to protect Personal Identifiable Information. (PII)

***The GDPR Article 4 Chapter 1 defines personal data as:***

1. *'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;*
  2. *'processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;*
- 1.3 This policy does not form part of any individual's terms and conditions of employment with the School and is not intended to have contractual effect.
  - 1.4 However, all members of staff are required to familiarise themselves with its content and comply with the provisions contained in it. Breach of this policy will be treated as a disciplinary offence which may result in disciplinary action under the School's Disciplinary Policy and Procedure up to and including summary dismissal depending on the seriousness of the breach.

## 2.0 PROCESSING PERSONAL DATA

### 2.1 What is personal data?

Personal data is information relating to an individual which is stored either electronically or as part of a structured manual filing system in such a way that it can be retrieved automatically by reference to the individual or criteria relating to that individual.

An individual about whom such information is stored is known as the Data Subject. It includes but is not limited to employees. The organisation storing and controlling such information ("the School") is referred to as the Data Controller.

## 2.2 What is Sensitive Personal Data?

Data consisting of information concerning an individual Data Subject's racial or ethnic origin, political or religious beliefs, trade union membership, physical and mental health, sexuality, commission or alleged commission of an offence or any proceedings in relation to the same is deemed to be Sensitive Personal Data.

## 2.3 What constitutes processing for the purposes of this Policy?

Processing data involves any operation including but not limited to: obtaining, recording or holding data or carrying out any operation on that data such as organisation, dissemination, erasure, alteration, or retrieval.

## 2.4 When can the School process Personal Data?

The School may only process a member of staff's Personal Data if the Data Subject consents or if the processing is necessary for any of the following:

1. The performance of a contract to which the Data Subject is a party or for taking steps at their request to enter into a contract;
2. Compliance with any legal obligation (other than a contractual obligation) to which the Data Controller is subject;
3. To protect the vital interests of the Data Subject

## 2.5 When may the School process Sensitive Personal Data?

The School may only process Sensitive Personal Data if, in the circumstances of the case:

We would be entitled to process Personal Data and

Either:

- a) the Data Subject has given his or her **explicit** consent to processing; or
  - b) any of the following circumstances apply:
- When there is a contract between you and the individual ("data subject") or between the individual and someone else which requires you to process their personal data in order to fulfil its terms. This also applies to any processing that is needed in order to prepare or negotiate entering into a contract.
  - When there's a law or legal obligation (not including a contract) that you can only comply with by processing personal data – example, accident reports for health & safety records
  - When someone's vital interests are at stake unless personal data is processed (usually only applicable to life-or-death situations – e.g. the emergency services having a list of employee names to identify survivors after a building collapse)
  - When is in the public interest or when acting under official public authority.
  - When personal data needs to be processed for an activity which is in the "legitimate interests" of the organisation ("Data Controller") or the individual.

The School will process staff's Personal Data for legal, personnel, administrative and management purposes including, but not limited to, processing:

- information about a member of staff's physical or mental health or condition in order to monitor sick leave and take decisions as to their fitness for work;
- the member of staff's racial or ethnic origin or religious or similar beliefs, age and sexual orientation, political beliefs and sexual life in order to monitor compliance with equal opportunities legislation and carry out vetting and screening of applicants and current staff in accordance with regulatory and legislative requirements from time to time in force;
- information relating to the commission or alleged commission of any criminal offence for insurance purposes and in order to comply with legal requirements and obligations to third parties;
- information relating to any criminal proceedings in which the member of staff has been involved for insurance purposes and in order to comply with legal requirements and obligations to third parties; and
- information relating to the any member of staff's union membership for the purposes of administering collective or individual consultations, or managing any internal procedures at which staff have the right to be accompanied by a trade union representative.

### **3.0 PRINCIPLES OF DATA PROCESSING**

3.1 The following principles shall apply whenever staff's Sensitive Personal Data is handled or processed by the School:

- The information to be obtained and processed will be obtained and processed fairly and lawfully;
- No member of staff shall be knowingly deceived or misled as to the purposes for which the information has been obtained or processed;
- The School shall wherever reasonably practicable advise the Data Subject of any information it intends to retain, the purpose of processing and any further information necessary for the processing of that data to be fair;
- Information will only be obtained or processed for one or more specified and lawful purposes;
- Information held on a Data Subject should be adequate, relevant and not excessive in relation to the specified purpose for which it has been obtained or processed;
- Information shall be accurate and where necessary will be kept up to date;
- No information will be kept for longer than is necessary to satisfy the purpose for which it was originally obtained or processed;
- All information shall be subject to the access rights described below;
- All information must be protected against unauthorised processing or damage. The level of security shall be appropriate to the nature of the data and the harm which could result from its misuse;
- No information will be exported outside the EEA unless it is to a country where the rights of the Data Subject can be adequately protected.

### **3.2 Data Subject's rights of access**

- A Data Subject has the right to be informed by the School of the following:
- The fact that the Personal Data about him or her is being processed;
- A description of the information that is being processed;
- The purpose for which the information is being processed;
- The recipients/class of recipients to whom that information is or may be disclosed;
- Details of the School's sources of information obtained;
- In relation to any Personal Data processed for the purposes of evaluating matters in relation to the Data Subject that has constituted or is likely to constitute the sole basis for any decision significantly affecting him or her, to be informed of the logic of the Data Controller's decision making. Such data

may include, but is not limited to, performance at work, creditworthiness, reliability and conduct.

- 3.3 Any Data Subject who wishes to obtain the above information must notify the School in writing of his or her request. This is known as a Data Subject Access Request.
- 3.4 The request should in the first instance be sent to the Headteacher. The processing of the request is free. However, if the school feels that there is a large volume of data to process then there may be a cost to cover the administration of the request.
- 3.5 The School will endeavour to comply with a request within one month. Please note that the School is not obliged to comply with a request in cases where it reasonably requires further information to establish the identity of the requesting Data Subject or to locate the information that has been requested until that further information has been supplied.
- 3.6 Where compliance with any request made by the Data Subject would involve disclosing information concerning another individual who may be identified therein, the School may only comply with the request if the individual identified has consented or it is reasonable in all the circumstances of the case to proceed without such consent.
- 3.7 **A Data Subject's right to prevent processing by the School**  
This qualified right applies if a member of staff believes that the School is processing either Personal Data or Sensitive Personal Data concerning him or her and the purpose or manner in which that information is being processed is either unwarranted or is causing or is likely to cause substantial damage or distress to him or her or any other individual.
- 3.8 In such circumstances, the member of staff may notify the School in writing at any time and require it at the end of such period as is reasonable in all the circumstances of the case to stop or not begin (as the case might be) processing that data or processing in a specified manner or for a specified purpose any personal data that relates to him or her.
- 3.9 The School will notify the member of staff within one month of receiving his or her request whether it has or intends to comply with the request or whether it considers the request unjustified and the extent (if at all) that the School is able to comply with it.

This policy was approved at the full Governing Body meeting on 15<sup>th</sup> May 2025 and will be reviewed annually in line with the school's policy review cycle.

Signed:

Chair of Governors \_\_\_\_\_ Mrs H Jerstice

Headteacher \_\_\_\_\_ Mr C Elliott



## **Navenby Church of England Privacy Statement**

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy statement sets out how Navenby CE Primary School uses and protects any information that you give us. It relates to information about children and parents as well as staff. Navenby CE Primary is committed to ensuring that your privacy is protected. Should we ask you to provide certain information by which you can be identified, then you can be assured that it will only be used in accordance with this Privacy Statement.

For the remainder of this document, Navenby CE Primary School will be referred to as 'we'.

### **CHILDREN AND PARENTS**

#### **What information do we collect?**

We collect and hold personal information relating to our pupils and may also receive information about them from their previous school, external agencies that may be supporting the child and/or family, the Local Authority and/or the Department for Education (DfE).

The information will include contact details, national curriculum assessment results, attendance information, any exclusion information, previous school name and where they go after they leave Navenby CE Primary. We also receive information on personal characteristics such as their ethnic group, any special educational needs they may have as well as relevant medical information.

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, pupil premiums, or special educational needs
- Special educational needs and disability records, plans and provision
- Behaviour records
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs and video footage

### **What do we use this information for?**

We use this personal information to:

- Support our pupils' learning
- Monitor and report on their progress
- Provide appropriate pastoral support
- Ensure we comply with all statutory safeguarding and Health and Safety guidelines.
- Comply with statutory DfE tasks, such as those relating to census and SATs tests.
- Assess the quality of our services
- Administer admissions and waiting lists
- Carry out research
- Comply with the law regarding data sharing

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn. Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

### **Collecting this information**

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

### **How we store this data**

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations.

### **STAFF**

What information do we collect?

We collect and hold personal information relating to staff employment to assist in the smooth running of the school and/or enable individuals to be paid. This personal data includes some or all of the following identifications: name, National Insurance Number, address, qualifications, employment contract details and DBS number. We also store information relating to staff appraisal and continuous professional development.

### **What do we use this information for?**

The collection of this information will benefit the individual staff members, the school and national and local users by:

- Contributing to local and national school workforce data
- Enabling a comprehensive picture of the workforce and how it is deployed
- Enabling a high standard of staff development

- Informing the development of recruitment and retention policies
- Allowing better financial modelling and planning
- Enabling ethnicity and disability monitoring
- Ensuring we comply with all statutory safeguarding and Health and Safety guidelines.
- Complying with statutory DfE tasks, such as those relating to census.

## **ALL**

How do we protect your personal information?

We adhere to the UK Data Protection Acts (1998) and we follow strict security procedures in the storage and disclosure of information which you have given us, to prevent unauthorised access. We hold an asset register, which details what data is collected, who has access to it, how it is securely stored and for how long. We work hard to ensure we follow all data protection guidance, to keep your personal information safe.

We will not sell, distribute or lease your personal information to third parties unless we have your permission or are required by law to do so. We may use your personal information to send you promotional information about third parties which we think you may find useful or interesting. If we intend to transfer your information outside the EEA (European Economic Area), we will obtain your consent first.

We are required, by law, to pass certain information about our pupils and our staff to our Local Authority (LA) and the Department for Education (DfE). Decisions on whether the LA or DfE release this personal data to third parties are subject to a robust approval process and are 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 level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

For more information on how this sharing process works, please visit:

<https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

For information on which third party organisations (and for which project) pupil level data has been provided to, please visit: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

If you need more information about how our local authority and/or DfE collect and use your information, please visit:

- the DfE website at <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

## **Working with third party agencies**

We work with several third-party agencies. Where this is in agreement with the school, a specific contract will have been set up which will include details regarding data protection. Some, however,

require parents / adults to give their own consent. We ask that you read and understand the 'Privacy Policy'/'Terms and Conditions' prior to using their facilities. These documents will govern your rights and obligations when using the third party.

### **May I see the information you hold about me?**

Under the Data Protection Act 1998, individuals have a right to make a 'Subject Access Request' [SAR] to gain access to personal information that the school holds about them. Parents/carers can make a request with respect to their child's data as the child is not considered mature enough at primary age to understand their rights over their own data.

A small fee may be payable dependent on the amount of photocopying. Please note that we also reserve the right to request proof of identity before we are able to disclose sensitive information to you.

If you believe that any information we are holding about you is incorrect or incomplete, please write, email, phone or come into school to let us know, so we can correct the information as promptly as possible. If you would like to make a request, please contact Miss Sheardown (Data Protection Officer), Mr Elliott (Headteacher) or Mrs Howard (Bursar).

### **Complaints**

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer (Miss Sheardown). Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to:

Information Commissioner's Office,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire SK9 5AF

### **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer.

This notice is based on the Department for Education's model privacy notice for pupils, amended for parents and to reflect the way we use data in this school.